

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64999 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Bikram Pratap Chaudhary Son of Barun Kumar Chaudhary Resident of 46
New Khajasarai, Laheriasarai, District- Darbhanga, Bihar. At Present R/at
RZF- 1/243B, Gali no.2, Mahavir Enclave, Palam, Dwarka, New Delhi-
110045

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anupriya Wife of Bikram Pratap Choudhary, D/O Subhas Chandra Jha R/O
14-B, Rajiv Nagar, P.S.- Rajiv Nagar, Patna, Bihar- 800024

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Puneet Siddhartha, Adv.
For the Opposite Party/s	:	Mr. Suman Kumari Singh, APP.
For the Complainant	:	Mr. Anjani Kumar Jha, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 08-05-2025 The petitioner and the complainant are present along with
their counsels in the Chambers proceedings.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 341,
498A, 494, 324, 307, 406 and 380 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act, but the
cognizance has been taken under Sections 498(A), 494, 323,
341 of the Indian Penal Code and 3/4 of the D.P. Act against
the petitioner.

3. Petitioner, who is husband of complainant, is said to
have tortured upon her physically and mentally and ousted her



from the matrimonial house in association of his family members over the dowry demand.

4. Vide order dated 21.11.2024, it would appear that earlier the matter was referred to the Mediation Centre, Patna High Court for resolving the dispute between the parties. The report received from the Mediation Centre, however, discloses that the said mediation between the parties has failed.

5. After an interaction with the parties along with their counsels and giving them some time to consult each other and reflect on the entire fact scenario, the parties seem to have come to an agreement that the petitioner (husband) would make a total payment of Rs. 20 lacs to the complainant as full and final settlement of all grievances and litigations between the parties. It is agreed between the parties that the petitioner would make a payment of Rs. 2 lacs to the complainant before furnishing his bail bond and the receipt of the payment of the said Rs. 2 lacs would be produced at the time of furnishing of the bail bonds. It goes without saying that the complainant would make her bank account details available to the petitioner. So far as the rest of the payment is concerned, it is agreed between the parties that while converting the divorce petition filed by the petitioner under Section 13 into one under Section



13B for a mutual consent divorce, the terms and conditions and the modalities of the payment would be enumerated therein which would be strictly adhered to by both the parties. It also goes without saying that once the petitioner is making the payments, the complainant would also begin the process of withdrawing the cases filed against the petitioner and by the time the final decree of divorce is granted in the matter, all litigations between the parties should have come to an end.

6. In view of all the above mentioned facts and circumstances and agreement between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 278 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C and the conditions indicated above.

7. It is also made clear that if the agreement reached between the parties as on today is violated by the petitioner without any hindrance having been created by the complainant,



the complainant will be at liberty to file an application for cancellation of bail bond of the petitioner before the learned Court below. It is expected that the entire process of payment and all the cases reaching to a logical conclusion would take a maximum period of eight months and since the petitioner and the complainant are staying separate from each other for the past two and a half years, an application for waiver of the cooling period may be filed before the Court below which shall be taken into consideration by the Principal Judge, Family Court, Patna. It is also expected that in the meantime, if the petitioner wants to meet his daughter, the complainant would readily allow him to do the same.

8. Accordingly, the application stands disposed of.

(Soni Shrivastava, J)

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