

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68889 of 2024

Arising Out of PS. Case No.-342 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Bijendra Kumar son of Krityanand Rai Village- kadwa Basa, Ps- Bhawanipur,
Dist- Purnea, At P/A- Bhawan Devi Tola, Ps- Bhawanipur, Dist- Purnea
... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Kumari Wife of Bijendra Kumar Village- kadwa Basa, Ps- Bhawanipur, Dist- Purnea At P/A- villlage- Simariya Rami, Po- Bhangha, Ps- Falka, dist- katihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 25-04-2025 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 342 of 2022 registered for the offence punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. Petitioner is the husband of opposite party no.2. The allegation is of demand of dowry and torture.

4. The parties were trying to settle the dispute between them and they have reached an out of Court settlement whereby the petitioner has agreed to execute a double storied building as well as land in favour of opposite party no. 2 and he



has done the same through registered sale deed no. 2884 dated 25.02.2025 which has been annexed as Annexure P/A to the supplementary affidavit filed on behalf of the petitioner. It has also been stated in the supplementary affidavit that after execution of the said sale deed, the opposite party no. 2 entered into a compromise with the petitioner in presence of common friends of both the parties which was duly signed and filed before the learned S.D.J.M., Katihar on 10.03.2025 and the said compromise has also been brought on record by way of Annexure P/B to the supplementary affidavit. It has been submitted by the learned counsel for the petitioner that pursuant to this, the opposite party no. 2 should not be having any other grievances and she should be withdrawing the Maintenance Case No. 199 of 2023 as well as the present Complaint Case No. 342 of 2022 pending before the learned S.D.J.M., Katihar.

5. However, learned counsel for the opposite party no. 2 has stated that although the registry has been done but the petitioner is creating obstruction in the mutation of the said property.

6. In such view of the matter, it is directed that the petitioner would fully cooperate with the opposite party to get the land and property mutated in the name of the opposite party



no. 2.

7. Let both the parties go to the place where the property is situated and the petitioner would extend all cooperation so that the opposite party no. 2 gets possession of the said property.

8. In such view of the matter, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail 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. 342 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

9. In case the petitioner creates any obstruction to the peaceful entry into the property and the possession of the said property, the opposite party would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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