

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72870 of 2023

Arising Out of PS. Case No.-417 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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GOLDEN KUMAR SON OF LATE LAXMI NARAYAN CHAUDHARY
RESIDENT OF VILLAGE - SITARAMPUR, PO- AND PS- SULTANGANJ,
DISTT- BHAGALPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. ARADHANA KUMARI WIFE OF GOLDEN KUMAR RESIDENT OF
VILLAGE - SITARAMPUR, PO- AND PS- SULTANGANJ, DISTT-
BHAGALPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Prakash Chandra
For the State	:	Mr. Mritunjay Kumar Nirala
For the Complainant	:	Mr. Madiha Hashmi
		Mr. Naushad Akhtar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 11-11-2025 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner is apprehending his arrest in Complaint
Case No. 417(C) of 2021 registered under Section 498 A of the
IPC and Section 4 of the D.P. Act.

3. It is a case of matrimonial dispute.

4. Both the parties agreed to resolve their dispute as one-
time settlement on payment of Rs. 8 lakhs by the petitioner to
the O.P. No. 2 (the complainant). The terms and conditions of
the mediation is annexed with the mediator's report dated



07.11.2025. The terms and conditions are as follows:-

“1. That after great persuasion both the parties agreed to live separately and for this the Petitioner (Golden Kumar) offered to pay the amount of Rs.8,00,000/-(Rupees Eight Lakh Only) as full and final settlement, amount to the Opposite Party No.2 (Aradhana Kumari). Opposite Party No.2 accepted the offer and gave her consent.

2. That the Opposite Party No.2 has already received her entire stridhan from the petitioner and no claim whatsoever remains pending in this regard against the petitioner.

3. That the husband/petitioner agreed to pay the aforesaid settlement amount in the sum of Rs.8,00,000/-(Rupees Eight Lakh Only) in following manner:-

(A) The Petitioner (Golden Kumar) has already paid the amount of Rs.3,50,000/-(Rupees Three Lakh Fifty Thousand Only) into the account of Opposite Party No.2 vide her account number- 42871386727 in State Bank of India, having its branch at Laxmibai Nagar SSI Fin, Indore.

(B) That the petitioner shall pay the amount of Rs.50,000/-(Rupees Fifty Thousand) into the above said account of the Opposite Party No.2 before the listing of this instant petition before the Hon'ble Court.

(C) That the amount of Rs.2,00,000/-(Rupees Two Lakh) shall be paid by the petitioner to Opposite Party No.2 at the time of filing the quashing petition before the Hon'ble High Court.

(D) That the remaining amount of Rs.2,00,000/- (Rupees Two Lakh) shall be paid by the petitioner to the Opposite Party No.2 at the time of recoding their statement U/s 13 (B) (2) of Hindu Marriage Act, 1955 (second motion) before the Learned Principal Judge, Family Court, Patna.



4. That both the parties have agreed to file the mutual divorce petition in terms of Section 13 (B) of the Hindu Marriage Act, before the Principal Judge, Family Court, Patna.

5. That both the parties have agreed to file the quashing petition for quashing of the cognizance order which has been taken in connection with the Complaint Case No.417 of 2021 pending before Learned court below, Danapur within three months from the date of allowance of the Criminal Miscellaneous No.72870 of 2023.

6. That both the parties have agreed to file divorce petition U/s 13 (B) of Hindu Marriage Act, 1955 within two months from the date of allowance of the quashing petition filed by petitioner.

7. That both the parties have further agreed to withdraw respective cases Civil/Criminal in nature filed against each other in the light of settlement of dispute soon after filing of the mutual divorce petition. Both the parties further agreed to co-operate in filing of the above said respective petition.

8. This settlement shall be full and final settlement and Opposite Party No.2 shall not claim any maintenance/alimony from the petitioner in future.

9. That both the parties agreed to file mutual consent divorce case under section 13 (B) of Hindu Marriage Act, 1955, before Principal Judge, Family Court, Patna as mentioned above



and after that both the parties are free to lead their life as per their own will.”

5. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of **eight weeks** from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Danapur in connection with Complaint Case No. 417(C) of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023.

6. It is expected that the petitioner and O.P. No. 2 shall file a petition under Section 13(B) of the Hindu Marriage Act, 1955 for dissolution of their marriage on the basis of mutual consent within a period of three months.

(Nawneet Kumar Pandey, J)

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