

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70218 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Surya Pratap @ Surya Pratap Thakur Son of Ashok kumar Thakur Resident of
village- Baijnathpuri, Bawan Bigha, PS- K. Hat, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari Wife of Surya Pratap Thakur, D/O- Late Shailendra Kumar
Jha R/O- Village- P.O.- Tetari, P.S.- Naugachia, Distt.- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 18-06-2025 Heard learned counsel for the petitioner, learned
counsel for the O.P.No.2 and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 323, 504, 506, 498A,
307/34 of the Indian Penal Code and section 3/4 of the Dowry
Prohibition Act.

3. The case is one under section 498A and the petitioner
is a husband. The allegation made in the complaint is with
regard to demand of dowry and torture.

4. The matter has been sent to the Patna High Mediation
Centre for reaching the amicable settlement between the parties.
The mediation report is on record which would show that the



issues have been resolved between the parties vide a memorandum of an agreement dated 15.05.2025 passed in Mediation Proceeding no.490 of 2025. Under the said agreement the parties have agreed to live separately for one time settlement of Rs 4,50,000/- and the schedule of payment has been indicated in Paragraph 2 of the agreement. The first installment of Rs. 1,50,000/- is to be paid by the petitioner before furnishing of the bail bonds and the rest of the payments of the installments would follow as per the schedule.

5. It has been pointed out by the learned counsel for the petitioner that in the memorandum of agreement, there is a mistake at four places inasmuch as in paragraph -2 thereof, “Bhagalpur Complaint Case no. 57 of 2024” is to be read as “Naugachia Complaint Case No. 57 of 2024” and further in paragraph- 2, 3 and 6, the “Family Court, Bhagalpur” is to be read as “Family Court, Purnea”.

6. In view of the submission arrived between the parties, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (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 Complaint Case No. 57 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

7. However, at the time of accepting the bail bond, the payment receipt of the first installment of Rs. 1,50,000/- would be produced. It is expected that both the parties would strictly abide to the terms settled between the parties and would also co-operate each other in seeking the mutual consent divorce and for the withdrawal of the respective case.

(Soni Shrivastava, J)

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