

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68923 of 2024**

Arising Out of PS. Case No.-851 Year-2020 Thana- NAWADAH COMPLAINT CASE  
District- Nawada

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Nitish Kumar S/o Devnarayan Prasad Resident of village- Tara vigaha, PS-  
Prabalpur, Distt. - Nalanda, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vipi Kumari D/o Dilip Chauhan, W/o Nitish Kumar R/o vill- Bhola vigaha,  
P.O.- Dona, P.S- Hisua, Distt. - Nawada

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gridhar Gopal Tiwari, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**

ORAL ORDER

6      24-06-2025                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 379, 494 and 498A of the Indian Penal Code.

3. As per the prosecution case, the informant states that her marriage was solemnized with the petitioner in the year 2020. The complainant states that the petitioner, along with accused persons started to assault her mentally and physically on account of non-fulfillment of demand of dowry and also ousted her from matrimonial house.

4. Vide earlier order dated 25.04.2025, the matter was



sent to the Patna High Court, Mediation Center for reaching an amicable settlement between the parties and the mediation report would show that the issue between the parties have been resolved by way of Memorandum of Agreement between the parties dated 16.06.2025 in Mediation Proceeding No.597 of 2025. The parties have also agreed for a one time settlement of Rs.2,25,000/- and the payment of the said amount would be a full and final settlement of all the litigations between the parties. Out of Rs.2,25,000/-, an amount of Rs.1,00,000/- has been paid to the O.P. No.2, which has been indicated in the memorandum of agreement. Further remaining amount of Rs.1,25,000/- has been agreed to be paid before or at the time of furnishing of bail bonds.

5. Learned counsel for the petitioner is directed to make the payment of remaining sum of Rs.1,25,000/- before any responsible person, who would be a witness to the payment of the said amount to the O.P. No.2 and a joint affidavit would be immediately filed before the Court with regard to the said payment. Upon filing of such affidavit and showing the proof of remaining amount of Rs.1,25,000/-, the bail bonds of the petitioner would be accepted. It is also expected that both the parties would strictly adhere to the terms of the settlement and



the O.P. No.2 would cooperate in the mutual consent divorce and withdraw both the present complaint case as also the Maintenance Case No.111 of 2020 pending before the Principal Judge, Family Court, Nawada.

6. Learned counsel appearing for the O.P. No.2 also has no objection to the statement of the petitioner.

7. In such view of the matter, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, in connection with Complaint Case No.851 of 2020 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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