

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75954 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- MAHILA P.S. District- Siwan

Rajesh Chaudhary @ Rajesh Kumar Chaudhary Son of Late Satyanarayan Pasi @ Late Staynarayan Chudhri Resident of Village - Lakari Dargah, P.S. - Barharia, District - Siwan

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Rani Devi Wife of Rajesh Chaudhary @ Rajesh Kumar Chaudhary, Daughter of Persuram Chaudhary Resident of Village -Hussainganj, P.S. - Hussainganj, District - Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajiv Kumar, Advocate
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2, APP
For the Informant	:	Mr. Ankesh Kr. Sinha, Advocate
		Ms. Laxmi Kumari, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 417-04-2025
1. Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with Mahila P.S. Case no.54 of 2024 registered under Sections 498A, 341 and 323 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 2005. After some years of marriage, all accused persons including the petitioner herein started to assault her mentally and physically on account of non-fulfillment of demand of dowry and ultimately ousted her from matrimonial house.



4. Learned counsel for the petitioner submits that earlier vide order dated 29.01.2025, the matter was sent to the Patna High Court, Mediation Center for reaching settlement between the parties and a report of the Mediation Center is available on the record.

5. A perusal of the same would go to show that memorandum of agreement has been reached between the parties in the Mediation Proceeding No. 180 of 2025 dated 27.02.2025. It clearly shows that the petitioner has agreed to keep his wife with full dignity and honour and the opposite party no. 2 has also agreed to live with her husband. Hence, no dispute remains between them. A further settlement of agreement is that a joint account in the name of petitioner and the informant would be opened in the State Bank of India and the petitioner would deposit an amount of Rs. 2,000/- per month which would be withdrawn on a joint signature of both the parties for the use of their children.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State. Learned counsel for the informant by way of counter affidavit submits that the petitioner has still not opened the joint account as agreed in the agreement. In response, learned counsel for the petitioner submits that the



same is in process and would be done in a further period of two weeks.

7. In such view of the matter and also taking into consideration the mediation report of settlement between the parties, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mahila P.S. Case no.54 of 2024 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 S.D.J.M, Siwan, 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 both the parties would strictly abide to the terms and condition of the settlement. In any case of violation of the same, the opposite party no. 2 is at liberty to approach the learned Court below for cancellation of anticipatory bail of the petitioner.

(Soni Shrivastava, J)

Harsh/-

U		T	
---	--	---	--

