

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75195 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Rakesh Kumar S/O Sri Laddu Yadav R/O Vill.- Bari Pahari, P.O-Bari
Pahari,P.S.- Agamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari W/O Sri Rakesh Kumar R/O Vill- Basiwan, P.S.- Pipra, P.O
- Kalyanpur, Distt- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Adv.
For the State	:	Mr. Raj Kishor Singh, APP.
For the Complainant	:	Ms. Priti Singh, Adv.
		Mr. Satish Chandra, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 02-05-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel appearing for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498(A) of
the Indian Penal Code and he is husband of the complainant.

3. The instant case arises out of the complaint filed by the
complainant, wife of the petitioner, alleging therein that there
was demand of Rs. 5 lakh and the consequent torture upon her.
The further allegation is that the accused persons including the
petitioner tried to kill the complainant and thereafter, ousted her
from the matrimonial house due to non-fulfillment of demand of



Rs. 5 lakh.

4. The matter had earlier been referred to the Mediation Centre of the Patna High Court and due to the efforts of the counsels for the parties and the learned Mediator, the parties have reached an amicable settlement by way of an agreement dated 21.03.2025 in the Mediation Proceeding No.224 of 2025, whereby it has been agreed between the parties that they would live separately and the petitioner has offered to pay Rs. 10 lacs for full and final settlement of all disputes between the parties to which the complainant has agreed. The terms and conditions and the modalities of payment have been indicated in the agreement dated 21.03.2025 and both the parties have also agreed to withdraw their respective civil and criminal cases filed against each other in the light of the settlement of disputes.

5. Considering the above mentioned facts and circumstances and in view of the settlement arrived at between the parties, I am inclined to extend the privilege of anticipatory bail to the petitioner who has no criminal antecedent. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within eight 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 learned SDJM, Masaurih in connection with Complaint Case No. 335(c) of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

6. However, the petitioner is directed to pay Rs.2,00,000.00 (Rupees Two Lakhs) as first installment to the complainant at the time of furnishing his bail bonds and only then his bail bonds would be accepted. The rest amount would be paid by the petitioner to the complainant within a period of six months which has been indicated in the said agreement dated 21.03.2025.

7. It is expected that both the parties would strictly adhere to the terms and conditions of the settlement and if any terms of the agreement would be violated by any of the parties, the either side would have the liberty to approach the Court below and raise their grievances.

(Soni Shrivastava, J)

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