

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78300 of 2024

Arising Out of PS. Case No.-775 Year-2022 Thana- SIWAN COMPLAINT CASE District-
Siwan

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ABHIJIT GUPTA @ ABHIJEET GUPTA SON OF HIRDYA NAND GUPTA
@ HRIDYANAND GUPTA RESIDENT OF VILLAGE - KEHUNIYA, P.O. -
PAKARI, P.S. - DEORIA, DISTRICT - DEORIA, UTTAR PRADESH, AND
AT PRESENT RESIDENT OF VILLAGE HOUSE NO.103 NIRMAL
INCLEV, VPO DAD, NEAR BASANT CITY, P.S. - LUDHIANA,
DISTRICT - LUDHIANA, PUNJAB - 142022

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANISHA @ ANISHA DEVI DAUGHTER OF SRI AWDH KISHORE
GUPTA, WIFE OF ABHIJIT GUPTA @ ABHIJEET GUPTA RESIDENT
OF VILLAGE - FARCHHUAN, P.O. - VISHUNPURA BAJAR, P.S. -
MAIRWA, DISTRICT - SIWAN, MOBILE NO. 8368062048

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Akshay Lal Pandit, Adv. Mr. Arvind Kumar, Adv. Mr. Rajesh Kumar, Adv.
For the State	:	Mr. Ram Naresh Ray, APP
For the Complainant	:	Mr. Ashok Kumar, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 23-06-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323,
498(A), 406, 309, 504, 506/34 of the Indian Penal Code.
However, later on, cognizance has been taken under Sections
498(A)/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.



3. The matter was sent to the Patna High Court Mediation Centre for amicable settlement of disputes and the issues between the parties were resolved which would be evident from the Memorandum of Agreement dated 18.06.2025 passed in Mediation Proceeding No. 382 of 2025. It was agreed upon between the parties that a payment of Rs. 16 lacs would act as a full and final one time settlement between them with no claims and grievances to be raised against each other. It has also been agreed upon that the complainant would make all efforts to withdraw the civil and the criminal cases against the petitioner and also cooperate in getting a mutual consent divorce under Section 13B of the Hindu Marriage Act before the Principal Judge, Family Court, Siwan. It is further submitted on behalf of learned counsel for the petitioner that the entire payment of Rs. 16 lacs has already been made by way of two demand drafts amounting Rs. 8 lacs each and the photocopy of the same has also been annexed along with the Memorandum of Agreement.

4. Learned counsel appearing for the complainant also agrees to the present position.

5. In such view of the matter, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the



Court below within four 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 lower Court where the case is pending/successor Court in connection with Complaint Case No. 775 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

6. However, it is expected that since the petitioner has fulfilled his part of the obligation, the complainant would strictly abide by the terms of settlement as agreed upon by the parties and the parties are directed to appear before the Family Court, Siwan preferably within a week for filing of an application for mutual consent divorce under Section 13B of the Hindu Marriage Act.

(Soni Shrivastava, J)

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