

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86246 of 2024

Arising Out of PS. Case No.-538 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Santosh Rai @ Santosh Kumar S/o- Ashok Rai Village- Balbhadarapur
Mahishi Ps-Sarairanjan Dist-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Kumari D/o- Upendra Rai Village- Kumaiya Ps- Tajpur Halai Dist-Samastipur

... ..
Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Adv
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 03-07-2025 Heard learned counsel for the petitioner, learned
counsel for the Opposite party no. 2 and the State.

2. Petitioner is apprehending his arrest in a case registered for the offences punishable under sections 147, 148, 149, 323, 376, 307, 498A/34 of the Indian Penal Code and sections 3/4 of the D.P.Act.

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

4. The matter had earlier been referred to the Patna High Court, Mediation Center and it would appear from the report of the mediation center that the parties had entered into



an agreement between each other vide the memorandum of agreement dated 23.06.2025 passed in Mediation Proceeding no.698 of 2025 whereby they have agreed to stay together as husband and wife along with their children and lead a peaceful conjugal life.

5. In such view of the matter the counsels appearing for both the sides today, agree that the petitioner would take his wife (OP.No.2) along with the children to his house from Thaneshwar Sthan Temple. The parties would appear there on 15.07.2025 and the petitioner would take his wife and children with him. It is also expected that both the parties shall strictly adhere to the terms and conditions of the agreement.

6. Considering the facts and circumstances, let the above named petitioner, in the event of his arrest/ surrender within a period of four weeks from today, 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 connection with Complaint Case No. 538 of 2023, subject to condition as laid down under section 438(2) of the Cr.PC.

7. However, at the time of accepting the bail bonds the learned court concerned would satisfy itself that the husband



has taken his wife and children along with him and they are both
staying together as husband and wife.

N.K/-

(Soni Shrivastava, J)

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