

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88185 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- SURYAPURA District- Rohtas

Manish Kumar S/o- Krishnanand Singh Village- Siwak Ps- Rajpur District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Durga Kumari W/o- Manish Kumar, D/o- Late Jay Ram Singh Village- Siwak Ps- Rajpur Dist- Rohtas, A/p- Suara Po- Karma Ps- Suryapura Dist- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Adv.
For the State	:	Mr. Syed Ehteshamuddin, APP
For the Informant	:	Ms. Devika Rani, Adv.
		Mr. Javed Aslam, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 14-07-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of the informant, is said to have tortured upon her physically and mentally in association of his family members over the dowry demand.

4. The matter had earlier been referred to the Patna High Court Mediation Centre for an amicable settlement of disputes



between the parties and it appears from the Memorandum of Agreement passed in Mediation Proceeding No. 294 of 2025 that the parties had reached a settlement and the petitioner had offered to pay an amount of Rs. 6,00,000/- as full and final settlement to the informant which was accepted by her. The petitioner was to pay the first installment of Rs. 1,50,000/- on or before 29.05.2025 and the second installment on or before 29.06.2025. It is further submitted that the two installments of Rs. 1,50,000/- each, that is, amounting for total of Rs. 3,00,000/- has already been paid into the account of the informant. However, at this stage, learned counsel appearing for the informant makes a submission that the informant never agreed to such a settlement and it is only due to some confusion and misconception that she was made to sign on the said agreement. As a matter of fact, the informant is not interested in the money but is interested in staying along with her husband and lead a peaceful conjugal life.

5. In such view of the matter, this Court is not in a position to force anyone to live as husband and wife. However, considering the fact that Rs. 3,00,000/- has already been paid into the account of the informant by the petitioner, this Court is 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 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 lower Court where the case is pending/successor Court in connection with Suryapura P.S. Case No. 138 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

6. It is, however, made clear that since the informant (wife) is not ready to settle the issue once and for all, on such terms and conditions, the petitioner (husband) is not required to pay the rest of the amount.

(Soni Shrivastava, J)

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