

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35654 of 2025

Arising Out of PS. Case No.-148 Year-2023 Thana- SAHARSA COMPLAINT CASE Dis-
trict- Saharsa

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Kumod Rajak S/O Tarni Rajak R/O Vill.- Parminiya, Ward no. 3, P.s.- Son-
barsa Kachahari, Dist.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Rinku Devi W/O Kumodd Rajak R/O Vill.- Bagaiva Pipra, P.s.- Salkhua,
Dist.- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra
For the Opposite Party/s	:	Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 07-04-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 148 / 2023 dated 13.02.2023 registered for the offence punishable under Section 341, 323, 324, 379, 504, 498(A) of the I.P.C. and Section 3 / 4 of the Dowry Prohibition Act.

3. The prosecution case in short is that marriage of the complainant was solemnized with the petitioner fifteen years ago as per Hindu rites and rituals. It is alleged that due to non fulfillment of demand of Rs. 50,000/- as dowry, the petitioner along with other family members drove out the complainant from matrimonial home. It is also alleged that the petitioner has



illicit relationship with his 'bhabhi' (sister-in-law) .

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case inasmuch as he has not committed any offence in the manner alleged. He further submits that from the own version and admission of the complainant / opposite party no. 2 it is evident that she continued to reside in the matrimonial home peacefully and shared a long marital relationship with the petitioner during which three sons and one daughter were born. The petitioner has already filed M.M. Case No. 3 / 2024 under Section 9 of the Hindu Marriage Act for restitution of conjugal rights indicating his sincere intent to resume marital life. There is general and omnibus allegation against all the accused persons without any substance in the same.

5. Learned counsel next submits that the matter was sent for mediation by this Court vide order dated 03.09.2025 and final mediation report is on record (flag- 'M'). From perusal of the same it appears that both husband and wife arrived at amicable settlement and have jointly signed the agreement containing terms and conditions of compromise on 28.11.2025.

6. Learned counsel for opposite party no. 2 supports the argument of learned counsel for the petitioner regarding amica-



ble settlement arrived at between the parties through the process of mediation.

7. Considering the fact that the matter has been compromised and both husband and wife has arrived at amicable settlement before the learned Mediator and mediation report has been submitted by the learned Mediator having the terms and conditions of compromise, I am inclined to grant the petitioner privilege of anticipatory bail subject to the condition that the parties shall abide by the terms and conditions entered into between them before the learned Mediator mentioned in the mediation report dated 28.11.2025.

8. Let the petitioner, above named, in the event of his arrest / surrender before the learned court below within a period of six weeks from today be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saharsa in connection with Complaint Case No. 148 / 2023 subject to the condition as laid down under Section 482(2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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