

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49749 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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1. Niraj Kumar Sharma S/O Late Kishore Kumar Sharma Resident of Bhagh DTI Road, Police Station- Jharia, Dist.- Dhanbad, Jharkhand
 2. Shobha Sharma W/O Late Kishore Kumar Sharma Resident of Bhagh DTI Road, Police Station- Jharia, Dist.- Dhanbad, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Varsha Rani D/O Sunil Sharma R/O Mangla Malsalami, P.S.- Malsalami, Dist.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lokesh, Advocate
For the State	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-05-2026 Heard the parties through virtual mode.

2. The petitioners are apprehending their arrest in connection with Complaint Case No.148 of 2024 registered for the offence under Sections 406, 420, 504, 506 and 120(B) of the Indian Penal Code lodged by the complainant Varsha Rani.

3. The allegation in the complaint is torture by the petitioners after the marriage.

4. Earlier, the coordinate Bench sent the matter to the Mediation Centre and as per the report dated 08.05.2026, they have amicably settled the matter.

5. The report dated 08.05.2026 is incorporated here in



below:

Patna High Court Mediation Centre

Memorandum of Agreement

[Arising out of Criminal Miscellaneous No.49749 of 2025]

*An agreement made on 08.05.2026 at the High Court
Patna Mediation Centre between,*

*1. Niraj Kumar Sharma S/o Late Kishore Kumar
Sharma Resident of Bhagh DTI Road, Police Station-Jharia,
Dist.-Dhanbad, Jharkhand*

*2. Shobha Sharma W/o Late Kishore Kumar Sharma
Resident of Bhagh DTI Road, Police Station-Jharia, Dist.-
Dhanbad, Jharkhand*

Petitioner/(First Party)

and

*Varsha Rani D/o Sunil Sharma R/o Mangla Malsami,
P.S., Malsalami, Dist.-Patna*

Opposite Party No.2 (Second Party)

*Both the parties appeared in the Mediation
Proceeding along with their Advocates and are ready to resolve
the dispute through the Mediation Proceeding on the following
terms and conditions:-*

*1. Whereas, in between the petitioner and Opposite
Party No.2 engagement was performed for purposes of the*



marriage but the marriage could not be solemnized due to some dispute arose in between. And as such a Patna City Complaint Case No.148 of 2024 was filed.

2. Whereas, the petitioners being the accused in the said Complaint case moved before this Hon'ble Court in Criminal Miscellaneous No.49749 of 2025 for bail. During pendency thereof the matter was referred to the Mediation & Conciliation Centre, Patna High Court, Patna for mediation in between the parties.

3. Whereas, the parties after being appeared in Mediation & Conciliation Centre, Patna High Court, Patna have agreed to settle their dispute through the process of mediation.

4. Whereas, as per agreement in between the parties the petitioners gave a Bank Draft of Rs.4,00,000/- (Rupees Four Lakhs Only) bearing Bank Draft No.505921, dated 02.05.2026 of ICICI Bank, Boring Road, Patna in favour of the Opposite Party No.2 namely Varsha Rani.

5. Whereas, the Opposite Party No.2 shall withdraw the said Complaint Case within a period of a month.

6. Whereas, this settlement shall be full and final settlement and no party shall claim in future against each other,



in any manner.

7. Whereas, the parties are free to live separately to lead their life.

8. That the above contents of the agreement have been read over and explained to us in Hindi which have fully understood and accepted there upon.

9. That in the above terms and conditions of the present settlement have been arrived at in between the parties and both parties have signed in presence of their learned counsels, who have also put their signature on this agreement.”

6. Taking into account the compromise that has come on record and the opposite party no.2 has received the draft of Rs.4,00,000/- (Four Lakhs), allowing her to agitate the matter if the draft could not be encashed, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Patna City, in connection with Complaint Case No.148 of 2024 subject to the following conditions:-



(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioners shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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