

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.744 of 2025

Arising Out of PS. Case No.-560 Year-2001 Thana- COMPLAINT CASE - DEHRI-ON-
SONE District- Rohtas

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Rajesh Prasad @ Rajesh Seth S/O Bhagwan Seth @ Shree Bhagwan Seth
Resident of Village- Shahpur, Police Station- Sheosagar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Meena Devi w/o Rajesh Prasad @ Rajesh Seth, D/O Late Sita Ram Prasad
Resident of Village- Shahpur, Police Station- Sheosagar, District- Rohtas. At
Present R/O Mohalla- Jakky Bigha, P.S.- Dehri, Dist.- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Namrata Mishra, Sr. Advocate Mr. Chhote Lal Mishra, Advocate Mr. Jyoti Prasad, Advocate
For the O.P.-State	:	Mr. Chandra Sen Prasad Singh, APP
For the O.P. No. 2	:	Ms. Meena Devi, In-person

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 02-02-2026 Heard Ms. Namrata Mishra, learned senior counsel

appearing on behalf of the petitioner, assisted by learned

counsel, Mr. Chhote Lal Mishra, and learned APP for the State

as well as opposite party no. 2, Ms. Meena Devi in person.

2. Opposite Party No. 2 has furnished a copy of her

Aadhar Card bearing No. 791030975986, which is taken on

record. She has been identified by Mr. Chhote Lal Mishra,

learned counsel for the petitioner.

3. The instant criminal revision petition has been filed

by the petitioners for setting aside the order/judgment dated

20.12.2024 passed in Criminal Appeal No. 37 of 2016 (CIS No.



37 of 2016) by the learned Additional Sessions Judge-XIV, Rohtas at Sasaram, whereby and whereunder the learned appellate court has affirmed the judgment and order dated 24.06.2016 passed by the learned Sub Divisional Judicial Magistrate, Dehri in Complaint Case No. 560 of 2001 in which the petitioner has been convicted for the offence under Section 498A of the Indian Penal Code and sentenced to undergo rigorous imprisonment for two years with fine of Rs. 2,500/- and in default of payment of fine, the petitioner has to undergo further simple imprisonment for the period of three months.

4. The opposite party no. 2 submits that the matter has been settled with the petitioner. Opposite Party No. 2 also submits that the divorce with mutual consent has taken place between the petitioner and the opposite party no. 2 under Section 13B of the Hindu Marriage Act, 1955 and decision in this regard has been passed by the court of learned Principal Judge, Family Court, Rohtas at Sasaram on 04.06.2025. Opposite Party No. 2 further submits that she has received one time settlement amount of Rs. 5,00,000/- (five lakh) and there remains no dispute between the parties.

5. The learned senior counsel appearing on behalf of the petitioner submits that all the aforesaid facts have been



brought on record in the present revision petition and relevant documents have also been attached, particularly, the copy of the order dated 04.06.2025 passed by the learned Principal Judge, Family court, Rohtas at Sasaram in Divorce Case No. 76 of 2025. Learned senior counsel further submits that the petitioner is in custody since 16.04.2025. The punishment awarded to the petitioners for two years and the petitioner has already suffered incarceration for more than 09 months. Learned senior counsel further submits that though the impugned order has been assailed on a number of ground, considering the settlement arrived at between the parties, no useful purpose would be served in keeping the petitioner in custody who has already suffered incarceration during the trial. Learned senior counsel further submits that the divorce with mutual consent has already taken place and the opposite party no. 2 has been given lump-sum amount of Rs. 5,00,000/- (five lakh) by the petitioner as one time settlement and nothing remains in the matter.

6. Having regarding to facts and circumstances and submission made on behalf of the parties and considering the settlement between the parties and also considering the period of incarceration already undergone by the petitioners, I am of the opinion that the sentence could be suitably modified so as to



release the petitioner and, therefore, the petitioner above named, is ordered to be released forthwith and his sentence is modified to the period already undergone. However, fine of Rs. 2,500/- will be paid by the petitioner.

7. Accordingly, the present revision petition stands disposed of.

(Arun Kumar Jha, J)

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