

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54310 of 2025

Arising Out of PS. Case No.-413 Year-2024 Thana- COMPLAINT CASE District- Araria

Wakar @ Waqar Son of Md. Mustafa R/o Village-Mahisakol, Ward no. 07, P.S
and District-Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mobina Praveen Wife of Wakar @ Baqar village- Mirzapur PS- Simraha
(Forbesganj), Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhav Jha, Advocate
For the State	:	Mr. Rana Randhir Singh, APP
For the O.P. No. 2	:	Md. Naushaduzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

7 06-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant.

2. Here, the petitioner is the husband of the complainant/O.P. No. 2 herein, who has made allegation under Section 498A IPC and Section 34 of D.P. Act. She has filed a complaint bearing Araria Complaint Case No. 413(C) of 2024 in the Court of learned S.D.J.M., Araria and in that complaint, cognizance has been taken and summoning order has been passed against the petitioner. Hence, the petitioner has filed the present anticipatory bail petition.

3. Learned counsel for the petitioner and learned counsel for the complainant/O.P. No. 2 jointly inform this Court that the matter has been amicably settled between the



complainant/O.P. No. 2 and the accused-petitioner/husband and as per the settlement, the petitioner-husband is required to pay Rs. 3,00,000/- to the wife-complainant and the child living with her, born out of the wedlock and towards the settlement, Rs. 1,00,000/- has been already paid by the petitioner-husband to the complainant-wife and rest Rs. 2,00,000/- is yet to be paid.

4. At this stage, both the parties agree that the rest amount of Rs. 2,00,000/- will be paid to the complainant-wife by the petitioner-husband after filing of criminal miscellaneous petition under Section 482 Cr.PC/528 BNSS before this Court. The payment will be made during proceeding of the criminal miscellaneous petition and thereafter, the petitioner-husband will pray before the Court for quashing the criminal complaint by setting aside the summoning order.

5. Learned counsel for the petitioner-husband is stating that he will file criminal miscellaneous petition under appropriate provision by 06.05.2026 and the payment will be made by him before the Court at the stage of admission itself, so that the dispute may be given quietus by this Court.

6. In view of such settlement between the parties, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of



receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Araria Complaint Case No. 413 (C) of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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