

IN THE COURT OF SESSIONS JUDGE, MUNGER
ANTICIPATORY BAIL APPLICATION No.- 580/2026

Dilkhush Kumar Vs. The State of Bihar and other
Complaint Case No. 1212c/2023

25.05.2026

1. The present anticipatory bail application has been preferred by petitioner **Dilkhush Kumar**, s/o- Late Uma Yadav who is apprehending arrest in connection with Complaint Case No. 1212c/2023 u/ss 498(A) and 323/34 of I.P.C. and section 4 of D.P. Act, pending in the Court of Ld. S.D.J.M., Munger.
2. The complainant has alleged that her marriage with the petitioner was solemnized on 28.09.2017 thereafter she went to her matrimonial house where she was subjected to torture and cruelty by all the accused persons including the petitioner towards dowry demand of Rs. 3,00,000/- and a motorcycle. Ultimately, she was ousted from her matrimonial house. Hence, she preferred the present Complaint Case.
3. At the outset the Ld. Counsel for the petitioner has certified that previously no anticipatory or regular bail has been filed on behalf of the petitioner before this Court or before any other Court including the Hon'ble High Court. He also certified that **the petitioner has no criminal history**. The Ld. Counsel submits that the petitioner is innocent and has not committed any offence and further that he has been falsely implicated in the present case. That the cognizance in the case has already been taken by the Ld. Trial Court. He further submits that when both the parties of the case appeared before this Court, this Court was pleased to refer the matter to the Mediation Center, Munger wherein both the parties amicably settled their matrimonial disputes. That both the parties agreed to take divorce with mutual consent, as per the endorsement on the Settlement Agreement dated **23.03.2026** of the Mediation Center. Therefore the Ld Counsel pleads that the petitioner be granted the privilege of pre-arrest bail.
4. The Ld. P.P. duly assisted by learned counsel for the complainant has fairly submitted that both the parties have agreed to take divorce with mutual

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consent.

5. Heard the submissions of respective Id. Counsels and perused the record of the case.

6. That previously A.B.A. No. 265/2026 was referred for mediation center wherein both the parties amicably settled their matrimonial dispute. That the said record is also before me and as per the record the parties have agreed to take divorce with mutual consent as per the endorsement on the Settlement Agreement dated 23.03.2026 of the Mediation Center and pursuant to which the statements of the petitioner/husband and the complainant/wife were recorded before this Court. As per their statements as well as the settlements, both the parties have agreed to separate and they will seek divorce by mutual consent u/s 13 (B) of the Hindu Marriage Act, 1955 within 15 days. That the petitioner/husband towards full and final settlement of the instant matrimonial dispute and further towards all claims of the complainant/wife, be it maintenance, 'stridhan' or any other, has agreed to pay in sum an amount of Rs. 5,00,000/- (Rupees Five lakh only) and the same shall be payable in four installments by way of D.D./online/cash as per the following schedule:-

- I. That the petitioner/ husband has already handed over the first installment of Rs. 1,00,000/- (Rupees One Lakh only) to the complainant/wife before the Court on 07.04.2026 at the time of recordal of statement of the parties in A.B.A. No. 265/2026;**
- II. That the second installment of Rs. 1,50,000/- (Rupees One Lakh Fifty thousand only) shall be given to the complainant /wife before the Court of Id. Principal Judge, Family Court at the time of admission of the first motion for mutual divorce u/s 13(B) of the Hindu Marriage Act;**
- III. That the third installment of Rs. 1,00,000/- (Rupees One Lakh only)**

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shall be given to the informant/wife within two months of the admission of the first motion for mutual divorce u/s 13(B) of the Hindu Marriage Act;

IV. That the fourth installment of Rs. 1,50,000/- (Rupees One Lakh Fifty thousand only) shall be given to the informant/wife at the time of recordal of statement in second motion for mutual divorce u/s 13(B) of the Hindu Marriage Act;

V. That both the parties have agreed to take appropriate steps towards proper disposal of the pending cases *qua* each other.

7. From the record, it seems that the cognizance in the case has already been taken by the Ld. Trial Court. That the petitioner has no criminal cases pending against him as per para 3 of the present anticipatory bail application.

8. Hence, considering the settlement between the parties, the nature of allegations and in the totality of the facts and circumstances of the case, this anticipatory bail application is hereby **Allowed**. Therefore, in the event of arrest or surrender of the petitioner within 15 days from the date of communication of this order, the petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Trial Court subject to the conditions as laid down U/S 438(2) Cr.P.C.

Dictated

(ALOK GUPTA)
Sessions Judge, Munger
Dated:- 25.05.2026