

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.2791 of 2025

Mithun Sah @ Mithun Saha, son of Motilal Saha, Resident of village Talpahari, PO Hiranpur, PS Litipada, District Pakur

... ... Petitioner(s)

Versus

1.The State of Jharkhand.

2.Namita Kumari, wife of Sri Mithun Sah and daughter of Sri Subal Sah, resident of village Moti Pahari, PO and PS Borio, District Sahibganj

... ... Opposite Party(s)

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Raja Ravi Shekhar Singh, Advocate.
(through V.C.)

For the State : Mr. Santosh Kr. Shukla, A.P.P.

04/ 07.07.2025

Mr. Raja Ravi Shekhar Singh, the learned counsel for the petitioner appears through virtual mode. He has no complaint regarding the quality and clarity of video.

2. Heard the parties.

3. This anticipatory bail application under Sections 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for offences registered under Sections 498A of the Indian Penal Code.

4. Learned A.P.P. representing the State opposes the prayer for anticipatory bail.

5. This is a matrimonial dispute. The matter was sent for mediation and the parties have settled the disputes as they have agreed to abide by the terms of settlement.

6. It has been submitted by learned counsel for the petitioner that in terms of settlement Rs. 1 lakh has to be paid to the complainant wife out of Rs. 4 lakh. As the cheque book of the husband is exhausted, his brother is ready to give a cheque of Rs. 1 lakh.

7. The brother of the petitioner who is present in the Court has handed over a cheque bearing no. 099682 dated

07.07.2025. The photocopy of the cheque is kept on record.

8. The informant wife is present and has been identified by her lawyer. The cheque is handed over in presence of the lawyer to the complainant wife.

9. Considering the fact that the matter has been resolved, this Court finds it a fit case for grant of anticipatory bail to the petitioner. It is expected that terms of the settlement should be complied with without any breach by the parties.

10. Accordingly, this Anticipatory Bail Application stands **allowed**. The petitioner, above named, is directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of his surrender or arrest, he shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate, 1st Class, Sahibganj, in connection with Complaint Case No. 1150 of 2023, subject to the condition that one of the bailers should be a close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his/her name or in the name of his/her ancestors in which he/she is having share and to that effect, he/she has to file an affidavit before the Trial Court indicating his/her share in the property.

(ANANDA SEN, J.)