

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13555 of 2024

Arising Out of PS. Case No.-67 Year-2022 Thana- MAHILA P.S. District- Lakhisarai

Mukesh Kumar S/o Kedar Prasad Rajak @ Kedar Prasad R/o vill - Ramnagar
East, P.S. - Nawada Town, Distt. - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushu Kumari D/o Laxmi Narayan Rajak R/o Mohalla - Hanumarnagar,
ward no. 21, P.S. - Kabaiya, Distt. - Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. Dilip Kr. No. 1, APP
For the Informant	:	Md. Irshad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-11-2024 Heard learned counsel for the petitioner, Mr. Dilip Kr.

No. 1, learned APP for the State and learned counsel for the
informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341, 323,
307, 498(A), 506/34 of IPC and 3/4 of D.P. Act.

3. Petitioner, who is husband of informant, is said to have
tortured her in association of his family members over the
dowry demand. They also tried to sprinkle kerosene oil over the
person of the informant and threatened her to dire consequences.

4. It is submitted by learned counsel for the petitioner
that the petitioner is an innocent person and has committed no
offence. Informant is a quarrelsome lady and always pressed



her husband (petitioner) not to cooperate and look after his parents. She does not want to live with petitioner's parents. She herself poured kerosene oil and started crying to put the petitioner and his family behind the bar. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. He is still ready to keep her with full honour and dignity. The petitioner has relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar**, reported in **2006 (3) PLJR 182**.

5. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Mahila P.S. Case No. 67 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. Petitioner is ready to pay Rs.15,000.00 (Rupees Fifteen Thousand) per month to the informant in the second week of every month. If the petitioner fails to pay the aforesaid amount



on two consecutive months, informant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

7. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

8. Learned counsel for the informant is directed to furnish the bank account details of the informant in the learned Court below. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details.

9. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

10. With the aforesaid observation and direction, this application stands disposed of

(Anjani Kumar Sharan, J)

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