

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34514 of 2025

Arising Out of PS. Case No.-725 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Niraj Kumar S/O Sadhusharan Mahato Village- Bachhauli, P.S.- Khanpur,
Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajnandani W/O Niraj Kumar R/O Vill.- Bachhauli, P.s.- Khanpur, Dist.- Samastipur. at Present D/O Naresh Kumar Vidyarthi, R/O Vill.- Singhiya Ghat, P.s.- Bibhutipur, Dist.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Advocate Mr. Ravi Shashi Bharti, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP Mr. Parijat Karan, Advocate Mr. Aman Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 28-11-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 725 of 2023 for the offence registered under Sections 498(A), 323, 341, 504 and 506 of the Indian Penal Code lodged by the complainant, Rajnandani.

3. As per the complaint, the marriage took place in the year 2016, the husband of the complainant (petitioner herein) is posted in the GPF Office but was always tortured for dowry. She was further assaulted on 01.03.2023 and on 12.09.2023, when the assault again took place, she made a complaint under Domestic Violence Act before the Dongra Police Station whereafter she was ousted from the house.

4. In this case, the matter was sent to the Mediation



Center and as per the Mediator's report dated 07.08.2025, they have resolved the issues. However, this Court wanted to clarify the matter by filing supplementary affidavit which has now come. According to the said affidavit, the first installment of 5,75,000/- has been cleared to the lady through RTGS on 30.10.2025. Further, the undertaking is that the second installment shall be paid and the certificate to this effect shall be presented before the concerned Court at the time of execution of bail bond. So far as the third and fourth installment of Rs. 5,75,000/- each are concerned, the undertaking is that the same shall be cleared by 30th of April, 2026.

5. As they have come to an amicable settlement, first installment has been cleared and an undertaking has been given that he shall be clearing the second installment at the time of execution of bail bond, this Court is inclined to extend him privilege of anticipatory bail.

6. However, if the petitioner fails to abide by the terms and conditions and further fails to clear the third installment by 28th of February, 2026 and fourth installment by 30th of April, 2026, the lady shall be free to take immediate steps for cancellation of his bail bond.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten



thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Rosera, Samastipur in connection with Complaint Case No. 725 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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