

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49133 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- MAHILA PS District- Jamui

Santosh Kumar Rajak, aged about 30 years, male, son of Sukhdeo Rajak, R/O
Village- Dhodha, P.S.- Dhamaul, Dist.- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mausam Kumari, D/o Sunil Rajak, aged about 21 years, female,
resident of village- Mahuli, PS-Khaira, District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Nitya Nand Tiwary, APP
For the OP No.2	:	Mr. Mukul Jee, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

9 07-02-2025 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel

for the informant-opposite party no.2.

2. The petitioner apprehends arrest in connection with

Jamui Mahila PS Case No.43 of 2023 dated 22.05.2023,

instituted under Sections 498-A, 323, 341, 448, 379, 313/34 of

the Indian Penal Code and Section 3/4 of the Dowry Prohibition

Act.

3. The allegation against the petitioner is of

demanding dowry and committing physical and mental torture

on the informant on account of non-fulfillment of the same.

Petitioner is the husband of the informant-opposite party no.2.



4. Vide order dated 22.11.2024, the matter was referred for mediation, but mediation has failed. The report of the mediator is kept at flag- 'M'.

5. Learned counsel for the petitioner submits that the petitioner is the husband and he is ready to keep the wife with full dignity and honour. However, the matter could not be resolved through mediation. Learned counsel further submits that the petitioner is ready to pay rupees four thousand per month to the informant-opposite party no.2 as monthly living cost without going into the merits of the case and also without being prejudiced to his rights.

6. Learned APP submits that since the petitioner is ready to pay monthly living cost to the informant-opposite party no.2, the Court may pass appropriate order in the matter.

7. Learned counsel for the informant-opposite party no.2 submits that she is ready to accept the offer made by the petitioner.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jamui, in Jamui Mahila PS Case No.43 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973, and further that the petitioner shall pay a sum of rupees four thousand per month to the informant-opposite party no. 2 with effect from the month of February, 2025. The aforesaid amount shall be paid/deposited in the Savings Accounts of the informant- opposite party no.2 on or before 10th of every succeeding month. The informant-opposite party no.2 shall give the details of the Savings Account to the petitioner at the time of his surrender. The Court below shall ensure that the living cost for the month of February, 2025, must be deposited by the petitioner before acceptance of his bail bonds.

9. If the petitioner fails to deposit the monthly living cost for two consecutive months and the informant-opposite party no.2 brings it to the knowledge of the Court, the Court below shall pass appropriate order in accordance with law including cancellation of his bail bonds.

10. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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