

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78465 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- HALAI District- Samastipur

Rajnish Kumar, Son of Ram Ekwai Rai @ Dilip Rai @ Budhan, Resident of
Village- Khalishpur Gandhi Chauk, PS -Sarairanjan District -Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari, Wife of Rajnish Kumar, Resident of Village- Khalishpur
Gandhi Chauk PS -Sarairanjan District -Samastipur P/A- Daughter of
Shambhu Nath Rai, Village- Lodipur Narayanpur, PS- Halai, Dist-
Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Adv.
For the State	:	Mr. Surendra Prasad Singh, APP
For the O.P. No.2	:	Mr. Pramod Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 19-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and the learned counsel for the O.P. No.2.

2. The petitioner who happens to be husband of the
O.P. No.2 is apprehending his arrest in connection with Halai
P.S. Case No. 76 of 2024 registered for the offences punishable
under Sections 85, 115, 126(2), 352, 351(3) and 3(5) of the
B.N.S.

3. Considering the matrimonial discord and the family
feud between the parties, the matter was referred to the Patna
High Court Mediation & Conciliation Centre vide order dated
22.03.2025.



4. It has been apprised to this Court that despite best efforts, the dispute between the parties could not be resolved through the process of mediation.

5. Learned counsel for the petitioner submits that besides the present case, the petitioner has also preferred Matrimonial Case No.25 of 2024 for restitution of conjugal rights, but it is the O.P. No.2, who did not show her willingness to live with the petitioner. Moreover, the petitioner bears fair antecedent and he undertakes that he is ready to pay a cost of Rs.2500/- per month to the O.P. No.2 as maintenance.

6. On the other hand, learned counsel for the O.P. No.2 submitted that because of the conduct of the petitioner, the O.P. No.2 is facing difficulty to live with him.

7. Be that as it may, considering the fact that the petitioner is husband and he has already filed Matrimonial Case no.25 of 2024 for restitution of conjugal rights as also his undertaking, 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 four weeks from today, on furnishing bail bond of Rs. 5,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Samastipur in connection with Halai P.S. Case No. 76 of 2024,



subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions:

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) The petitioner shall ensure his undertaking that he will pay a cost of Rs.2500/- to the O.P. No.2 in the first week of every month, till any order is passed by a competent Civil Court.

(Harish Kumar, J)

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