

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87513 of 2024

Arising Out of PS. Case No.-6 Year-2023 Thana- MAHILA P.S. District- Nawada

Rajesh Kumar Son of Umesh Prasad R/O-Village- Dumrawan, PS-
Deepnagar, Distt.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari D/O- Shyam Sundar Prasad R/O-Village- Chhoti, PS- Narhar,
Distt.- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 11-08-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 498A, 379, 341, 354B of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The prosecution case is based upon an FIR filed by the opposite party no. 2 in which she has made an allegation of demand of dowry and torture. Petitioner is the husband of opposite party no.2.

4. By an earlier order, the matter had been sent to the Patna High Court Mediation and Conciliation Centre for



resolution of disputes between the parties but the same has also failed. However, by the efforts of the learned counsel appearing on behalf of the parties, the matter has been compromised between the parties and the photocopy of the compromise agreement has been annexed by way of supplementary affidavit whereby an amount of Rs. 1,10,000/- has been agreed to be full and final settlement of all grievances and litigation between the parties to be paid by the petitioner to the opposite party no. 2.

5. It has been submitted by the learned counsel for the petitioner that the said payment would be made by the petitioner in two installments. It is also agreed between the parties that the compromise agreement binds both the parties in respect also of the fact that the opposite party no. 2 will withdraw the present criminal case against the petitioner before or upon payment of the second installment.

6. In such view of the matter, let the above named petitioner, be released on provisional 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.10,000/- (Rupees Ten 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. 06 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

7. The learned court concerned shall accept the bail bonds of the petitioner only upon proof of receipt of payment of Rs. 55,000/- as the first installment. Further, upon payment of remaining Rs. 55,000/- within a further time of another four weeks, the provisional bail granted to the petitioner shall be confirmed by the learned court concerned and in case the said payment is not made within the stipulated period, the learned court below would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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