IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55800 of 2026

CNR No. BRHC010703092026

Arising Out of PS. Case No.-238 Year-2025 Thana- SAMASTIPUR COMPLAINT CASE District- Samastipur

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Rakesh Kumar @ Rakesh Kumar Paswan Son of Ramashankar paswan Resident of village- Badagamma PS- khanpur District- samastipur

... ... Petitioner/s

Versus

1. The State of Bihar
2. Gaytri Kumari Wife of Rakesh Kumar Paswan Resident of Village- Sahuri, Ps- Chakmaheshi, Dist- Samastipur

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar, Advocate
For the State	:	Mrs. Dr. Indiwar Kumari, Advocate
For the O.P. No.2	:	Mr. Dilip Kumar, Advocate
	:	Ms. Monika Kumari, Advocate
	:	Mr. Shivnath Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 04-11-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Complaint Case No.238 of 2025 registered for the offence under Sections 126(2), 115(2), 85, 89 and 3(5) of the B.N.S. and section 3 and 4 of the Dowry Prohibition Act, lodged by the complainant Gaytri Kumari.

3. As per the prosecution story, the complainant alleged that the marriage took place in the year 2023 but she was always tortured for dowry inasmuch as the petitioner's family wanted four wheeler and cash. This led to the complaint.

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4. Earlier, the coordinate Bench sent the matter to the Mediation Centre but as per the Mediator's Report dated 09.10.2026, it failed.

5. Learned counsel for the petitioner submits that though the mediation has failed, she being legally wedded wife. till an order comes from the Maintenance Court, he is ready to take care of her by paying Rs.8,000/- per month and failure to do so by 10th of every month, if granted relief, she will be free to take recourse for cancellation of bail bond.

6. Learned counsel for the complainant submits that though in the petition, he recorded that the petitioner is ready to take his wife with full dignity and honour, before the Mediation Centre, he took an U-turn. However, if he is ready to maintain the wife, an appropriate order can be passed.

7. Considering the submissions of the parties, it is unfortunate that the mediation failed despite the contention made in the petition that he want to keep the lady with full dignity and honour, for the present, since he has offered an olive branch of Rs.8,000/- per month to be paid by 10th of every month in the bank account, this Court is inclined to grant him relief subject to payment of Rs.8,000/- per month in the Bank Account with following details: **Gaytri Kumari, Canara Bank**

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A/c No.110329764788.

8. This order shall merge with an order passed in the Maintenance Case. However, if the petitioner fails to make payment in the bank account of the lady by 10th of every month, she will be free to take steps for cancellation of bail bond.

9. 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 Sub-Divisional Judicial Magistrate, Samastipur, in connection with Complaint Case No.238 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) 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/her

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bail bond by the Trial Court itself;

(iv) 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;

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

(Rajiv Roy, J)

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