

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4365 of 2025

Arising Out of PS. Case No.-248 Year-2022 Thana- COMPLAINT CASE - RAXAUL AT
MOTIHARI District- East Champaran

Vijendra Giri S/o Shriramchandra Giri R/o Village - Matiya Giri Tola Ekama
Station P.S.- Ekama, Dist.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Devi W/o Vijendra Giri D/o Fulena Giri At present address R/o
Village - Kanuniya Katgenwa, P.S.- Adapur, District- East Champaran
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-05-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A)
and 323 of the Indian Penal Code as well as Section 4 of the
Dowry Prohibition Act.

3. Learned counsel appearing on behalf of the
petitioner submits that petitioner, being the husband, has been
falsely implicated in the instant case by the complainant. It is
further submitted that petitioner was married to the complainant
in the year 2014 and out of the wedlock two children were born
who presently are staying with the complainant. It is next



submitted that efforts for reconciliation was made before the District Court but then the same failed as the petitioner left in anger. It is also submitted that petitioner, being the husband, is aware of his responsibility towards the complainant and the children and as such is ready to pay a maintenance of Rs.6,000/- per month which shall commence from 25.05.2025. It is submitted that no useful purpose would be served by sending the petitioner to jail as chances of future reconciliation will also get marred.

4. Learned counsel appearing on behalf of the complainant submits that since the petitioner is willing to pay a monthly maintenance of Rs.6,000/-, as such, no useful purpose would be served by sending him to jail. It is further submitted that the bank account number of the complainant shall be WhatsApped on the WhatsApp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 25.05.2025.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned



counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Tr. No. 498 of 2022 arising out of Complaint Case No. 248 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the complainant shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, if the petitioner does not deposit the amount of maintenance as agreed for two consecutive months.

8. It is further made clear that if a court of competent jurisdiction fixes the maintenance, in that event, the present maintenance shall stop.

(Satyavrat Verma, J)

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