

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8099 of 2025

Arising Out of PS. Case No.-1334 Year-2023 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Madan Mohan Giri Son of Rajendra Giri Resident of Village - Garhsisai,
Ward No.03, P.S. - Vidyapati Nagar, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Devi Wife of Madan Mohan Giri Resident of Village - Mahdeva,
P.O. and P.S. - Variyapur, District - Munger, at present resident of
Tilkamanjhi, P.S. - Tilkamanjhi, District - Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Surya Narayan Roy, Advocate
For the State	:	Mr. Kanhiya Kishor, APP
For the Complainant	:	Mr. Rajive Ranjan Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 24-09-2025 Heard learned counsel for the petitioner, learned
counsel for the complainant as well as learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 1334 of 2023, registered for the
offences punishable under Sections 323, 504, 498(A) of the IPC.

3. The complainant makes allegation against the
petitioner that he along with other co-accused persons have
tortured her for non-fulfillment of demand of dowry.

4. Vide order dated 13.05.2025, the matter was
referred to the Patna High Court Mediation and Conciliation
Centre. The report of the learned Mediator shows that the matter



was not resolved between the parties and therefore, the mediation failed.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He has further submitted that marriage of the petitioner was solemnized in the year 2006 and the present case has been lodged in the year 2023 i.e. after 17 years of marriage. He has further submitted that prior to the present case, the petitioner has lodged a complaint case against the present complainant in the year 2015 and the complainant has also lodged a case against the petitioner in 2019. His further submission is that they have compromised in both the earlier cases and the complainant went to her matrimonial house but again she went therefrom without any reason. He has submitted further that the petitioner is ready to pay Rs. 3,000/- per month as interim maintenance to the complainant.

6. On the other hand, the learned counsel for the complainant has opposed the prayer for bail and submitted that the petitioner (husband of the complainant) has inflicted atrocities on the complainant and she is passing her vulnerable days in financial crisis.

7. Considering the above-mentioned facts and



circumstances especially the fact that the petitioner is ready to pay Rs. 3,000/- per month as interim maintenance to the complainant, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class-cum-A.M.-VI, Bhagalpur in connection with Complaint Case No. 1334 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C./ 482(2) of the BNS, 2023.

8. The petitioner is directed to pay Rs. 3,000/- per month as interim maintenance to opposite party no. 2 (the complainant). The interim maintenance will be subject to any other order granted by any other Court of competent jurisdiction granting maintenance to Opposite Party No. 2 (the complainant).

(Nawneet Kumar Pandey, J)

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