

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16081 of 2025

Arising Out of PS. Case No.-17 Year-2020 Thana- COMPLAINT CASE - BENIPUR
District- Darbhanga

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JITENDAR MUKHIYA @ JITENDRA MUKHIYA S/o Muneshwar Mukhiya
Resident of Village- Kachhabi, Police Station- Lakhsaur, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fulo Devi W/o Jitendar Mukhiya @ Jitendra Mukhiya, D/o Ram Bilas Mukhiya R/o vill - Kachhabi, P.s.- Lakhsaur, Distt.- Madhubani, At present R/o vill - Baghela, Post- Dhamsain Police Station- Alinagar, Distt.- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nilendu Kumar Choudhary, Advocate
For the State	:	Ms. Indu Kumari Srivastava, APP
For the Complainant	:	Mr. Ashok Kumar Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 08-10-2025 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 bearing C.R. No. 17 of 2020, registered for the offences punishable under Sections 341, 323, 498(A), 494, 379, 504 of the IPC and Section 3/4 of the D.P. Act but cognizance has been taken the petitioner under Sections 498(A), 494, 504/34 of the IPC.

3. As per the prosecution story, marriage of the complainant was solemnized with the petitioner. It is alleged



that the accused persons demanded Rs. 2 lakhs in dowry and later on, they tortured her for non-fulfillment of demand of dowry.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He is a person of clean antecedent. He is a poor person and his two children are residing with him. He has no sufficient means for providing maintenance to the complainant as he is an agricultural labourer. Learned counsel has further submitted that the petitioner is ready to pay Rs. 1,500/- per month as maintenance to the complainant.

5. On the other hand, the learned counsel for the complainant has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances especially the fact that the petitioner is ready to pay Rs. 1,500/- per month as 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 A.C.J.M.-II, Benipur, Darbhanga in connection with Complaint Case bearing C.R. No. 17 of 2020,



subject to the conditions as laid down under Section 438(2)
Cr.P.C./ 482(2) of the BNSS, 2023.

7. The petitioner is directed to pay Rs. 1,500/- per month as maintenance to opposite party no. 2 (the complainant).

8. The complainant shall provide her account details to the petitioner for depositing the maintenance amount.

(Nawneet Kumar Pandey, J)

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