

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26430 of 2024

Arising Out of PS. Case No.-902 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

Vikash Kumar S/O Ramanand Rai R/O Village- Baniya, P.S- Saraiya, Distt.-
Muzaffarpur. Petitioner/s

Versus

1. The State Of Bihar
2. Reeta Kumari W/O Vikash Kumar, D/O Ramkishore Rai R/O village-
Baniya, P.O- Chakaramdas, P.S- Saraiya, Distt.- Muzaffarpur, Presently
resides at village- Pokharira, Dakshini tola, P.S- Sariaya, Jaitpur O.P,
District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

8 04-04-2025 In compliance of the earlier order dated 18.03.2025,

both the parties along with their respective lawyers are present

in Chamber proceeding.

2. Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant and learned APP
for the State.

3. The petitioner is apprehending his arrest in
connection with Muzaffarpur Complaint Case No. 902 of 2022
for the offence under Sections 498A of the I.P.C. and Section 4
of the Dowry Prohibition Act.

4. It is a case of matrimonial dispute between both the
parties. In which there is allegation on the petitioner of abusing
and assaulting the complainant for demand of dowry.



5. Learned counsel for the petitioner submits that the petitioner is innocent and he has committed no offence. No such occurrence took place as alleged in the complaint. A stereotype allegation of demand and torture was made by the complainant at the instance of her parents. The petitioner is the husband of the complainant and neither she was assaulted nor tortured for demand of dowry by the parents of the petitioner. The complainant did not want to live with the petitioner and deserted him and left her matrimonial house with all her belongings. Learned counsel further submits that petitioner also tried to save his marriage, by filing a Matrimonial Case No. 394 of 2022 in the Court of Principal Judge, Family Court, Muzaffarpur under Section 9 of the Hindu Marriage Act for restitution of conjugal rights.

6. During the course of argument, learned counsel for the petitioner submits that petitioner is ready to pay Rs. 2,500/- (Two Thousand Five Hundred) per month for her maintenance and he is also ready to file an affidavit regarding the payment of aforesaid amount in the Trial Court/Court below to show his *bona fide* conduct.

7. Keeping in view the aforesaid facts, and considering the submissions made by learned counsel for the



petitioner, this Court is inclined to enlarge the petitioner on privilege of anticipatory bail.

8. The above amount of maintenance will be adjusted in any future order regarding maintenance passed by any competent Court. Petitioner will pay the aforesaid maintenance amount in advance for two months in the bank account of the O.P. No. 2 at the time of furnishing the bail bond and the details of bank account will be furnished by the informant as soon as possible.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West, Muzaffarpur, in connection with Muzaffarpur Complaint Case No. 902 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

10. Accordingly, the instant application stands disposed of.

(S. B. Pd. Singh, J)

Ankit Kumar/-

U		T	
---	--	---	--

