

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25492 of 2025

Arising Out of PS. Case No.-29 Year-2021 Thana- MAHILA PS District- Darbhanga

Hari Kishore Mahto S/o Laxman Mahto R/o Village- Fuhri, P.S.- Rahika,
Dist.- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanti Devi W/o Hari Kishore Mahto D/o Arun Mahto, R/o Village-
Kasnaraini, P.S.- Keoti, Dist.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad
For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 22-12-2025 1. Heard learned Counsel for the petitioner, learned
Counsel for the informant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in
connection with Mahila Police Station Case No. 29 of 2021,
registered for the offences punishable under Sections 498(A),
323, 504, 506, 34 of the Indian Penal Code and Sections 3/4 of
the Dowry Prohibition Act.

3. As per the prosecution case, the informant
alleges that she was married to the petitioner on 21.12.2018 as
per Hindu rites. Despite receiving gifts at the time of marriage,
the petitioner and his family allegedly demanded Rs. 2 lakhs
from her father, and on her refusal, subjected her to harassment,



assault, and threats. It is further alleged that on 10.07.2020, while two months pregnant, she was ousted from her matrimonial home and was assaulted. She currently resides at her paternal home, and claims that after the birth of her male child, Tuesh Kumar, the petitioner and his family members have not provided any care or support.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending or decided between the parties.

5. Learned counsel for the informant submits that vide order dated 25.09.2025, interim maintenance was granted to the informant but the petitioner is continuously evading the payment of maintenance. Informant is at the verge of starvation and has to maintain her child also.

6. Learned Counsel for the informant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the



petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 5,000/- per month in the bank account of the informant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned counsel for the petitioner within fifteen days from today.

7. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.

8. This application is, accordingly, allowed.

9. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Darbhanga, in connection with Mahila Police Station Case No. 29 of 2021.

10. This is subject to the condition that the petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account



of Opposite Party No. 2 positively, starting from 10th January,
2026.

(Anil Kumar Sinha, J)

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