

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26136 of 2025

Arising Out of PS. Case No.-1453 Year-2023 Thana- COMPLAINT CASE District- Banka

Gautam Kumar @ Gautam Kumar Manjhi Son of Haldhar Manjhi Resident of Village - Kalhoriya, P.S.- Saraiyahat, District - Dumka (Jharkhand), Pin - 814151.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rakhi Kumari Wife of Gautam Kumar @ Gautam Kumar Manjhi Resident of Village - Charkapathar, P.S.- Saraiyahat, District - Dumka (Jharkhand), Pin - 814151 and Present Address Daughter of Rajesh Kumar Bagwai, Village - Patwara, P.S.- Katoria, District - Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Ranjan
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

5 25-09-2025 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. 1453 of 2023, registered for the offences punishable under Sections 341, 323, 504, 506/498(A) of the Indian Penal Code.

3. It is a case of matrimonial dispute.

4. Vide order dated 20.08.2025, 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 is a person of clean antecedent. Learned counsel has further submitted that the petitioner can not pay Rs. 3,000/- per month as interim maintenance to the complainant.

6. On the other hand, although the learned counsel for the complainant has opposed the prayer for bail but conceded that she may be allowed some interim maintenance as she is passing her miserable days in financial scarcity. It has also been submitted that the complainant is ready to file a divorce case with mutual consent under Section 13(B) of Hindu Marriage Act, 1955.

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 Chief Judicial Magistrate, Banka in connection with Complaint Case No. 1453 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).

9. Both parties are directed to file a divorce case with mutual consent under Section 13(B) of Hindu Marriage Act, 1955 within a period of eight weeks.

(Nawneet Kumar Pandey, J)

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