

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38252 of 2024

Arising Out of PS. Case No.-4206 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Balbir Kumar @ Sonu Son of Sri Bimal Kumar Resident of Moh- Gautam
Nagar, New Gangjala, Kapsiya House, Hanuman Mandir Campus, Ward No.
11, P.O.- Saharsa, P.S.- Saharsa, Dist.-Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aarti Kumari Wife of Balbir Kumar @ Sonu, Daughter of Mahadeo Sah
Resident of West Lohnanipur, New Gharaunda Apartment, P.O. and P.S.-
Kadamkuan, Dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Kumar Pathak
For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

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

7 28-03-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has

been filed by the petitioner apprehending his arrest in a case

instituted for the offence punishable under Sections 498(A),

323 of the Indian Penal Code.

3. It is a case of torture, assaulting and harassing

the complainant by her husband (petitioner) and in-laws due

to non fulfillment of additional dowry demand

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted that complainant was suffering from pre-existing mental illness and she had love affair with other person and in that background she implicated the petitioner in the present case. It is further submitted that maintenance case has already been filed by O.P. No. 2. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned A.P.P. for the State as well as learned counsel for the complainant prayed for maintenance as she is a housewife and she is not able to maintain herself

6. It is submitted on behalf of petitioner that he is ready to pay Rs. 4,000/- (four thousand rupees) per month as interim maintenance to O.P. No. 2 by depositing the same in her bank account, commencing from the month of April, 2025 and he will file an affidavit before the trial Court, regarding the aforesaid payment.

7. The aforesaid payment will be subject to any other order passed in the matrimonial or maintenance proceeding.



8. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Patna Complaint Case No. 4206 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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