

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56203 of 2024

Arising Out of PS. Case No.-131 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Kalu Hembram Son Of Sona Hembram R/O- Village- Olipur Post, Mahuar,
P.S.- Manihari, Distt.- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hisi Murmu Wife Of Kalu Hembram R/O- Olipur Post, Mahuar, P.S.-
Manihari, Distt.- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

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

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

ORAL ORDER

6 04-04-2025 In compliance of the earlier order dated 25.03.2025,

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 Complaint Case No. 131 of 2021 for the
offence under Sections 498A of the I.P.C.

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 falsely been implicated in this case on the basis of suspicion and malicious intention. The petitioner has not committed any offence at all. As a matter of fact the petitioner never married with another woman and at wrong instigation of the parents of the complainant, O.P. No. 2 has filed such type of concocted case. Petitioner has never demanded any dowry and he has neither tortured nor assaulted her.

6. During the course of argument, learned counsel for the petitioner submits that petitioner is ready to keep his wife with him with full honour and dignity but the complainant chose to live separately. Petitioner is ready to pay Rs. 3,000/- (Three Thousand) 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 Chief Judicial Magistrate, Katihar, in connection with Katihar Complaint Case No. 131 of 2021 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/-

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