

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53930 of 2024

Arising Out of PS. Case No.-2356 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

=====

Sanjeev Kumar Son of Jagdish Sah R/O Vill.- Rasulpur Dahla, P.s.-
Sahebganj Town, Dist.- Sahibganj, Jharkhand.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Radha Kumari D/O Indal Sah Lahari R/O Vill.- Chheta Bari, P.o.- Belwa,
P.s.- Mufassil, Dist.- Katihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

=====

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

ORAL ORDER

5 08-04-2025 Heard learned counsel for the petitioner, learned

counsel appearing on behalf of the informant and learned APP

for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 2356 of 2022 for the
offence under Section 498A of the I.P.C. and Section 4 of the
Dowry Prohibition Act.

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

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has not committed any offence.



Earlier the petitioner has filed Matrimonial case no. 139 of 2022 under Section 12 of the Hindu Marriage Act, on 30.06.2022 for decree of nullity of marriage of the complaint with him as at the time of marriage she was a minor girl aged about 14 years only and in violation of Section 5 of Hindu Marriage Act.

5. During the course of argument, learned counsel for the petitioner submits that the petitioner is still ready to keep his wife with him but the complainant wants to live separately. Learned counsel further submits that the petitioner is ready to pay Rs. 3,000/- (Three Thousand) per month for maintenance of her wife 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.

6. 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.

7. 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.

8. 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, Katihar, in connection with Complaint Case No. 2356 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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

