

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51848 of 2025

Arising Out of PS. Case No.-11518 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Shubham Gupta S/O Sri Uma Shankar Gupta R/O 201, Kante Dreams Building, E Wing near D Mart Vasai Nallasopara, Link Road, Yashwant Vila Township Vasai (East), Police Station- Nalla Sopara, Mumbai, Maharashtra-401209.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Samiksha Gupta W/o Shri Shubham Gupta, D/o shri Laljit Gupta R/O MOhalla-Budhha Colony near Maa Bhagwati Travels Sadhu Hotel, PS-Buddha Colony, Distt-Patna, Pin Code-800001

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nagendra Upadhyay, Adv.
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP
For the O.P. No. 2	:	Ms. Mira Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-12-2025 **1.** Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel for OP No. 2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

3. The learned counsel for the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the O.P. No. 2. It is next submitted that



relationship in between the petitioner and the O.P. No. 2, presently, has deteriorated to an extent where it is not possible to revive the conjugal relationship, but then petitioner being husband is aware of his responsibility and is willing to pay a monthly maintenance of Rs. 6,000/- to the O.P. No. 2.

4. The learned counsel appearing on behalf of the OP No. 2 also, based on instruction, submits that since petitioner is ready to pay a monthly maintenance of Rs. 6,000/- to the OP No. 2 as such no useful purpose would be served by sending the petitioner to jail. It is next submitted that if petitioner is sent to judicial custody in that event chances of future reconciliation will also get marred.

5. The learned counsel appearing on behalf of the OP No. 2 next submits that she will *WhatsApp* the bank account number of the OP No. 2 on the *WhatsApp* number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance commences from 23.12.2025.

6. Considering the submission made by the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a



period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 11518(C) of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that OP No. 2 shall be at liberty to file an application before this court seeking cancellation of the anticipatory bail granted to the petitioner, in the event if the petitioner does not deposit the monthly maintenance, as agreed, for two consecutive months.

8. It is further made clear that the present maintenance shall stop, if a Court of competent jurisdiction fixes the maintenance.

9. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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