

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58809 of 2025

Arising Out of PS. Case No.-6257 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Abhimanyu Kumar S/o Yadunandan prasad R/o Village - Madhopur, P.S. -
Bakhtiyarpur, Dist. - Patna, present work place Vill- Pirpanti, P.S.-
Kahalgaon, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Urvashi Ranjan Wife of Abhimanyu Kumar R/o Village - Madhopur, P.S. -
Bakhtiyarpur, Dist.- Patna at present residing at Manjha Enclave, Flat no.
303, near Gandhi Murti Shivpuri, P.S. - Shastrinagar, Dist. -
Patna(complainant)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ritwik Thakur, Adv Ms.Vaishnavi Singh, Adv
For the Opposite Party/s :		Mr.Upendra Kumar, APP Mr. Danish Sami, Adv Mr. Ajay Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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| 3 | 11-09-2025 | <ol style="list-style-type: none">1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the OP No. 2.2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A and
323 of the Indian Penal Code and Sections 3 and 4 of Dowry
Prohibition Act.3. Learned counsel for the petitioner submits that
petitioner being husband has been falsely implicated in the
instant case by the OP No. 2. It is next submitted that petitioner |
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was married to the OP No. 2 on 6-6-2022, but thereafter the relationship in between the two deteriorated leading to institution of the instant complaint case on 17-5-2024. It is further submitted that from perusal of the allegation as alleged in the complaint, it would manifest that complainant herself alleges that since 14-7-2022 she is not residing with the petitioner. It is submitted that after 38 days of marriage, the complainant went back to her parental home.

4. Learned counsel for the petitioner submits that prior to institution of the instant case, the petitioner and the complainant had decided to seek divorce by way of mutual consent, accordingly Matrimonial Case No. 189 of 2024 dated 5-2-2024 was instituted in the court of learned Principal Judge, Family Court, Patna. It is next submitted that after the divorce case was filed, it was thereafter that the instant complaint case came to be instituted. It is further submitted that from perusal of para-14 of the complaint petition, it would manifest that the complainant alleges that accused no. 7, who in relation is her maternal-grand father, was also interested in getting the marriage dissolved and he had threatened the complainant that he is as judge, he knows the law and he will ensure that a divorce case is filed with forged signature of the complainant.



Learned counsel for the petitioner submits that the said allegation in the complaint was levelled with a purpose as the complainant subsequently in Matrimonial Case No. 189 of 2024 took a plea that her signature on the application was forged and fabricated, but then it is submitted that there is a famous saying in English "if you speak truth, you do not have to remember what you said" and in the same vein, it is submitted that from perusal of page-54 to the anticipatory bail application, it would manifest that the same is an application filed on behalf of the complainant by her learned lawyer, wherein it has been recorded that complainant is withdrawing the matrimonial case as the terms and conditions mentioned in the divorce case is not acceptable to her. It is next submitted that had the petitioner filed the matrimonial case with forged signature of the complainant, in that event the said application at page-54 would not have been filed by her learned lawyer rather a plea would have been taken that the matrimonial case has been instituted with forged and fabricated signature of the complainant. It is further submitted that Matrimonial Case No. 189 of 2024 is pending adjudication.

5. At this Stage, learned counsel for the petitioner submits that he has instruction to make submission that being



husband he is aware of his responsibility till the divorce case is not adjudicated finally and thus submits that petitioner is willing to pay monthly maintenance of Rs. 10,000/- to the OP No. 2, which shall commence from 1-10-2025.

6. The learned counsel appearing on behalf of the OP No. 2 submits that the divorce was filed by mutual consent, but then OP No. 2 has withdrawn her consent, now it is for the learned court to decide whether to proceed or not to proceed with the said matrimonial case, but since petitioner is willing to pay monthly maintenance of Rs. 10,000/-, as such no useful purpose would be served by sending the petitioner to jail. It is also submitted that may be with passage of time and on intervention of well-wishers, the parties may resolve their dispute amicably.

7. The learned counsel for the OP No. 2 next submits that he will WhatsApp the bank account number of the OP No. 2 on the WhatsApp number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 1-10-2025.

8. Considering the submissions made by the learned counsel for the petitioner, 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. 10,000/- (Rupees Ten 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. 6257 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. 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.

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

(Satyavrat Verma, J)

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