

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58906 of 2025

Arising Out of PS. Case No.-2236 Year-2023 Thana- COMPLAINT CASE District- Araria

Atikur Rahman @ Ateequr Rahman @ Atikur Rahman S/o Md. Ayyub @
Aeyub R/o Village - Jogindar, P.S- Jokihat (Mahalgaon), District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Doli W/O Atikur Rahman @ Ateequr Rahman @ Atikur Rahman, D/O
Ajeemuddin R/o Village - Mokam Durgapur, P.S - Mahalgaon, District -
Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhav Jha, Adv
For the Opposite Party/s	:	Mr.Tapeshwar Sharma, APP Mr. Mukesh Kumar Rana, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-09-2025 **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 Sections 3 and 4 of the Dowry

Prohibition Act.

3. The learned counsel for the petitioner submits that

petitioner is a person with clean antecedent and being husband

has been falsely implicated in the instant case by the OP No.2. It

is next submitted that the relationship in between the petitioner

and the OP No. 2 has soured to an extent where it is not possible



to revive the conjugal relationship in the present, but with passage of time and on intervention of well-wishers, parties may resolve their dispute amicably.

4. Learned counsel for the petitioner further submits that he has instruction to make submission that petitioner being husband is aware of his responsibility and is willing to pay monthly maintenance of Rs. 3,000/- to the OP No. 2, which shall commence from 1-10-2025.

5. The learned counsel appearing on behalf of the OP No. 2 also submits that the dispute is matrimonial and no useful purpose would be served by sending the petitioner to jail, when petitioner is willing to pay a monthly maintenance of Rs. 3,000/-. It is also submitted that if the petitioner is sent to judicial custody, chances of future reconciliation will also get marred.

6. The learned counsel for the OP No. 2 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 commences from 1-10-2025.

7. 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. 2236 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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.

9. 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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