

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71573 of 2025

Arising Out of PS. Case No.-1457 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Anjan Kumar Son of Kailash Prasad Singh @ Kailash singh Resident of
village - Mukundpur , P.S. - Karpoorigram , District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sareeta Kumari wife of Anjan Kumar Resident of village - Mukundpur , P.S.
- Karpoorigram , District - Samastipur At present Resident of Village-
Dewaipatti, Ps- Sarairanjan, Dist- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahendra Pratap, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 498A and 323 of the Indian
Penal Code.

3. The case of the prosecution, in short, is that the
petitioner was married to the complainant. It is further alleged
that the complainant was subjected to cruelty on account of non-
fulfillment of dowry demand.

4. Learned counsel for the petitioner has submitted



that the Trial Court has cancelled the bail of this petitioner only on the basis that he was granted anticipatory bail with the condition that he will pay Rs.3000/- per month to the complainant for her maintenance. Petitioner is a labourer. He is ready to keep his wife and son with him. He is not able to pay Rs.3000/- per month. It is further submitted that the bail of the petitioner has been cancelled as he has not paid the amount as ordered by the learned Trial Court.

5. Learned APP for the State vehemently opposed the bail application.

6. Admittedly petitioner is the husband of the complainant. The petitioner has submitted that he is ready to keep his wife and son with dignity but he is not able to pay Rs.3000/- per month. Moreover, this cannot be the ground for cancellation of the bail. While deciding the bail of any petitioner in matrimonial disputes, maintenance should not be decided as there is different forum for deciding the maintenance.

7. Considering the above facts and circumstances of the case, let petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Samastipur in



connection with Complaint Case No.1457 of 2021.

(Ashok Kumar Pandey, J)

Sanjay/-

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