

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3549 of 2025

Arising Out of PS. Case No.-2120 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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Mithu Mahto @ Mithun Kumar Mahto @ Mithun Mahto Son of Hare Krishna
Mahto @ Hari Kishun Mahto Resident of Village - Gangawapad, P.S. - Ekma,
District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Soni Devi Wife of Mithu Mahto and Daughter of Late Rajendra Mahto
Resident of Village - Gangawapad, P.S. - Ekma, District - Saran, presently
residing at Karinga Musehari, P.S. - Chapra Mufassil, District - Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary, Adv.
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

8 01-11-2025 Heard learned counsel for the petitioner as well as

learned APP for the State and the learned counsel for O.P. No. 2.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 2120 of 2023 (Trial No. 405 of 2024),
registered for the offence punishable under Section 498(A) of
the Indian Penal Code.

3. The allegation against the petitioner who is
husband of the complainant is that he tortured his wife for non
fulfillment of demand of dowry of Rs. 2,00,000/-

4. Vide order dated 09.05.2025, the matter was
referred to the Patna High Court Mediation and Conciliation



Centre. The report of the learned Mediator shows that the matter could not be resolved between the parties and therefore, the mediation failed.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He is residing in Delhi and is performing the work of mason. He has submitted further that the petitioner is ready to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2.

6. On the other hand, the learned counsel for O.P. No. 2 has opposed the prayer for grant of anticipatory bail to the petitioner.

7. Considering the above-mentioned facts and circumstances, especially the fact that the petitioner is ready to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-7th, Saran at Chapra in connection with Complaint Case No. 2120 of 2023 (Trial No. 405 of 2024), subject to the



conditions as laid down under Section 438(2) Cr.P.C./ 482(2) of BNSS, 2023.

8. The petitioner is directed to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2 (the informant). The interim maintenance granted by this Court shall be subject to adjustment, if any other court grants maintenance to the opposite party no. 2.

9. The petitioner is directed to appear in the case, filed by the complainant for her maintenance.

(Nawneet Kumar Pandey, J)

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