

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17059 of 2026

Arising Out of PS. Case No.-901 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Nitish Kumar Son of Late Ramanand Pandit Resident of village-
Chaknawada, Ps- Dalsingsarai, Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anamika Kumari Wife of Nitish Kumar Resident of village- Chaknawada,
Ps- Dalsingsarai, Dist- Samastipur AT present Shri jai Prakash Pandit @ Om
prakash Pandit, Resident of village- Katarmala, Ps- Dandari, Dist- Begusarai
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-04-2026 **1.** Heard learned counsel for the petitioner and learned
A.P.P. for the State and no one appears on behalf of the 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.
- 3.** The 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 the
petitioner and the OP No. 2 were married on 14-12-2020 and out
of the wedlock, a child was born, who presently is staying with
the OP No. 2. It is further submitted that the petitioner was
working with Nippon Company but on account of institution of
the instant case, his job was terminated and petitioner presently is



unemployed. It is also submitted that presently 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, but with passage of time and on intervention of well-wishers, the parties may resolve their dispute amicably. It is submitted that petitioner being husband is aware of his responsibility towards his wife and the child, who presently is residing with the OP No. 2, but since presently he is out of job hence would not be in a position to maintain them in the manner he was maintaining when he was doing the job, but it is submitted that petitioner is willing to pay a monthly maintenance of Rs. 5,000/- to the OP No. 2, which shall commence from 20-4-2026.

4. Learned APP also fairly submits that since petitioner is willing to pay a monthly maintenance of Rs. 5,000/-, as such no useful purpose would be served by sending the petitioner to jail moreso when the dispute is matrimonial and if the petitioner is sent to judicial custody, chances of future reconciliation will also get marred.

5. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender 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. 901 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. 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.

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

8. Let a copy of this order be handed over to the learned counsel appearing on behalf of the OP No. 2 in the learned trial court for its onward communication to the OP No. 2.

(Satyavrat Verma, J)

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