

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33985 of 2025

Arising Out of PS. Case No.-31 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Basant Kumar @ Basant Patel S/o Late Ramsakal Rai @ Ramsakal Ray R/o
Village- Sobaiya, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Kumari W/o Basant Kumar @ Basant Patel D/o Manoj Kumar , R/o
Village- Sobaiya, At Present Village- Trilokarwa Bazar, Both P.S.- Mehsi,
District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari
For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 17-02-2026 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 31 of 2024 dated 04.01.2024 for the
alleged offences under Sections 498A, 494, 406, 420, 120B of
the Indian Penal Code and Section 3/4 of the DP Act.

3. As per the prosecution case, the petitioner and
others are accused of assaulting and torturing the victim for
demand of dowry.

4. It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent and he has falsely been
implicated in this case. The petitioner is the husband of the



complainant.

5. Learned counsel for the State has opposed the application of the petitioner.

6. Considering the submission of the parties and in light of the law laid down by the Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar* reported in (2014) 8 SCC 273, this application of grant of anticipatory bail is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, East Champaran, Motihari/concerned Court below in connection with Complaint Case No. 31 of 2024 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS and with further condition that:

(I). The petitioner is directed to pay a maintenance amount of Rs. 5000/- from the month of February 2026 to the complainant/informant and the maintenance for the month of February 2026 shall be paid to the complainant/informant within ten



days from today and thereafter the maintenance amount shall be paid to the informant every month before the 10th day of the month.

8. It is made clear that the order of maintenance passed by this Court shall be subject to the outcome of maintenance case of the Court of Principal Judge, Family Court concerned, if any.

9. Needless to state that, if the petitioner fails to abide by the terms and conditions, as stated hereinabove, the State shall be at liberty to file an appropriate application, before the learned concerned Court below for cancellation of bail granted to the petitioner.

10. Let a copy of this order be communicated to the Principal District & Sessions Judge, East Champaran, Motihari through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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