

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38147 of 2026

Arising Out of PS. Case No.-142 Year-2025 Thana- COMPLAINT CASE - RAXAUL AT
MOTIHARI District- East Champaran

=====

Deepak Patwa @ Deepak Kumar Son of Jay Narayan Patwa Resident of
Village- Sariswa Bazar, P.S.- Majhauriya, Dist- West Champaran at Bettiah

... .. Petitioner/s

Versus

1. The State of Bihar
2. Annu Kumari D/o Jay Prakash Patwa Resident of Amidai Shobha Tola, P.S.-
Ramgarhwa, District- East Champaran at motihari.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Mr. Rajendra Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-06-2026 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. 142 of 2025 in which cognizance has
been taken under Section 85 of the BNS.

3. The petitioner, who is the husband of the
complainant/O.P. No. 2, is alleged to have ill treated the
complainant 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. It is further submitted that there is
matrimonial dispute between the parties and the complainant
has filed a maintenance case in the Court of Principal Judge,
Family Court, East Champaran, Motihari vide Maintenance



Case No. 477 of 2025 in which the petitioner has not been appeared.

5. Learned APP 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 for 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 anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 142 of 2025 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. The learned counsel for the petitioner undertakes that the petitioner will appear in the maintenance case pending before the Principal Judge, Family Court, East Champaran, Motihari on the next Monday i.e., (22.06.2026) and thereafter the Principal Judge, Family Court, East Champaran, Motihari



will hear the maintenance case on priority basis and shall conclude the same within four months. He shall proceed ex-parte against the non-cooperating party.

9. Till the maintenance case is finally decided, the petitioner shall pay interim maintenance of Rs. 9,000/- (Rupees Nine Thousand only) per month to the complainant, commencing from June 2026.

10. It is made clear that the interim maintenance directed herein shall remain subject to the final outcome of the maintenance proceeding pending before the learned Principal Judge, Family Court, East Champaran, Motihari.

11. It is further made clear that if the petitioner fails to comply with any of the terms and conditions stipulated hereinabove, the State shall be at liberty to file an appropriate application before the competent Court seeking cancellation of the anticipatory bail granted to the petitioner.

12. 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)

Shishir/-

U			
---	--	--	--

