IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39083 of 2026

CNR No. BRHC010563982026

Arising Out of PS. Case No.-798 Year-2023 Thana- AURANGABAD COMPLAINT CASE District- Aurangabad

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Suman Prajapati @ Suman Kumar Prajapati S/O Late Chhedi Prajapati R/O Village- Basri Tola, Dhanraj Bigha, P.S.- Dhibra, Distt.- Aurangabad.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi W/O Suman Prajapati @ Suman Kumar Prajapati R/O Village- Basri Tola, Dhanraj Bigha, P.S.- Dhibra, Distt.- Aurangabad. At present residing with her parents D/O- Late Virendra Prajapati, R/O Village- Majhiaon, P.S.- Madanpur, Distt.- Aurangabad.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the State : Mr. Madan Kumar, A.P.P.
For the O.P. No. 2 : Ms. Leelawati Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 27-10-2026 Earlier, *vide* order dated 25.08.2026, the matter was referred to the Mediation and Conciliation Centre, Patna High Court, Patna, but as per the Mediator's Report (flag 'M'), the mediation has failed.

2. Heard learned counsel for the parties.

3. The petitioner apprehends arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code.

4. As per prosecution case, marriage of complainant was solemnized with this petitioner in the year 2005. Thereafter,

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it is alleged that complainant was subjected to torture and cruelty due to non-fulfillment of demand of dowry and subsequently, she was ousted from the matrimonial house.

5. Learned counsel for the petitioner, while denying the allegations levelled against him, submits that petitioner, who is husband of the complainant, is ready to keep her with honour and safety. Besides this, petitioner is ready to give Rs. 3000/-per month to the complainant by way of temporary relief/solace, starting from this month, subject to any order passed in matrimonial, maintenance or connected proceedings.

6. In view of the aforesaid undertaking of learned counsel for the petitioner that petitioner is ready to give Rs. 3000/- per month to the complainant by way of temporary relief/solace, starting from this month, this anticipatory bail application is allowed.

7. Let the above-named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 798 of 2023, subject to the conditions laid down under Section 482(2) of the Bharatiya

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Nagarik Suraksha Sanhita as well as on the following conditions:-

‘(1) Complainant would file an affidavit before the court below and bring on record her savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the complainant.

(3) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(4) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.’

(Prabhat Kumar Singh, J)

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