IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40020 of 2026

CNR No. BRHC010568282026

Arising Out of PS. Case No.-656 Year-2025 Thana- ALAMGANJ District- Patna

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Rohit Kumar @ Pintu @ Pintu Kumar S/O Deepu Prasad Resident of mohalla- Badi Patandevi, PS- Alamganj, District- Patna

... ... Petitioner/s

Versus

1. The State of Bihar
2. Sima Kumari, W/O Rohit Kumar @ Pintu, D/O Vinod Ram R/O Mohalla- Purani Sachiwalaya, PS- Sachiwalaya, Distt- Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arvind Kumar Pradhan
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem
Mr. Dheeraj Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 28-10-2026 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 352 and 85 of the B.N.S. and Sections 3 and 4 of the D. P. Act.

3. The learned counsel for the parties jointly submitted that the case was referred for mediation but then mediation failed.

4. The learned counsel for the petitioner submits that

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the petitioner, being husband, has been falsely implicated in the instant case by the informant. It is next submitted that relationship in between the petitioner and the informant has soured to an extent where it is not possible to revive the conjugal relationship in the present, but with passage of time and on intervention of well-wishers, the parties may resolve their dispute amicably. It is next submitted that petitioner, being husband, is aware of his responsibility towards the informant. It is thus submitted that petitioner is willing to pay a monthly maintenance of Rs.3,000/- (Rs.Three Thousand), which shall commence from 01.11.2026.

5. The learned counsel appearing on behalf of the informant submits that since petitioner is willing to pay a monthly maintenance of Rs.3,000/-, as such, no useful purpose would be served by sending the petitioner to jail. It is also submitted that future chances of reconciliation will also get marred, but then it is submitted that it might be a ploy of the petitioner to seek anticipatory bail by making a false submission that he is ready to pay a monthly maintenance of Rs.3,000/-, on which the learned counsel appearing on behalf of the petitioner submits that petitioner is aware of the consequences which would entail, in the event, if the undertaking given before this

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Court is breached by the petitioner, on which the learned counsel appearing on behalf of the informant submits that he will whatsapp the bank account number of the opposite party no.2 on the whatsapp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner, so that the monthly maintenance as agreed commences from 01.11.2026.

6. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten 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 Alamganj P. S. Case No.656 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking cancellation

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of anticipatory bail granted to the petitioner, in the event, if the petitioner does not pay the monthly maintenance as agreed for two consecutive months.

9. It is further made clear that the present maintenance will stop, the moment maintenance is fixed by a Court of competent jurisdiction.

10. At this stage, the learned counsel appearing on behalf of the informant submits that petitioner be directed to return all the gifted items given to him at the time of marriage, on which the learned counsel appearing on behalf of the petitioner submits that he has discussed the issue with the petitioner and petitioner is willing to return all the gifted items given to him at the time of marriage to the informant.

(Satyavrat Verma, J)

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