IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41795 of 2026

CNR No. BRHC010568692026

Arising Out of PS. Case No.-52 Year-2025 Thana- MAHILA P.S. District- Siwan

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Anil Kumar Prasad S/O Rajendra Prasad @ Rajendra R/O Vill.- Pakwaliya, P.S.- Ander, District- Siwan

... ... Petitioner/s

Versus

1. The State of Bihar
2. Deepmala Devi W/o Anil Kumar Prasad, D/O Mahesh Pandey @ Mahesh Pandit R/O Vill.- Balaipur Pakwaliya, P.S.- Ander, District- Siwan

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the State : Md. Fahimuddin, A.P.P.
For the O.P. No. 2 : Mr. Sumit Shekhar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

4 27-10-2026 Earlier, *vide* order dated 06.07.2026, 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 Sections 115(2), 126(2), 85, 82(1), 3(5) of the Bharatiya Nyaya Sanhita and Sections 3/4 of the Dowry Prohibition Act.

4. As per prosecution case, marriage of informant was solemnized with this petitioner in the year 2011. Thereafter, it is

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alleged that informant 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 informant, is ready to keep her with honour and safety. Besides this, petitioner is ready to give Rs. 3000/-per month to the informant 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 informant 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 Sub-Divisional Judicial Magistrate, Siwan in connection with Siwan Mahila P. S. Case No. 52 of 2025, subject to the conditions laid down under Section 482(2)

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

‘(1) Informant 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 informant.

(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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