IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42087 of 2026

CNR No. BRHC010576532026

Arising Out of PS. Case No.-84 Year-2025 Thana- UPHARA District- Aurangabad

==========

Shivakant Kumar @ Shivkant Yadav S/o Nagdeep Yadav Resident of Village - Darwan, P.S.- Uphara, District - Aurangabad

... ... Petitioner/s

Versus

1. The State of Bihar
2. Amrita Kumari W/o Shivkant Kumar Resident of Village - Darwan, P.S.- Uphara, District - Aurangabad

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Ms. Priyam Kumari, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

==========

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

5 04-11-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 85 and 3(5) of the BNS, 2023 as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that petitioner, being the husband, has been falsely implicated in the instant case by the informant. It is further submitted that the case was referred for mediation but then the mediation failed. It is next submitted that relationship in between the petitioner and the informant has soured to an extent where it is not possible to

WEB COPY

revive the conjugal relationship for the present but then with passage of time and on intervention of well wishers the parties may resolve their dispute amicably. It is also submitted that informant had filed a Maintenance Case No. 252 of 2025 in the Court of learned Principal Judge, Family Court, Aurangabad. It is further submitted that the learned Family Court has granted interim maintenance of Rs.5,000/- to the informant recently and the petitioner is paying the said amount and also undertakes that the interim maintenance as fixed shall be credited in the account of the informant regularly without fail.

4. Learned Additional Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that the dispute is matrimonial and petitioner has undertaken that he will keep paying the maintenance as directed by the learned Family Court.

5. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on

WEB COPY

anticipatory bail on furnishing bail bonds 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 Uphara P.S. Case No. 84 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

Kundan/-

U		T	

WEB COPY