

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53263 of 2025

Arising Out of PS. Case No.-1237 Year-2024 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

=====

Amit Kumar Sharma S/o Shashikant Sharma @ Shashi Kant Rai Resident of
Village- Kamargama Jathmalpur, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rashmi Sharma D/o Rabindra Chaudhary Resident of Village- Chakhaidar,
P.S.- Chakmehsi, District- Samastipur. At Present- Rashmi Sharma, aged
about 33 years (Female) C/o Arun Kumar Singh, Resident of Village- Ward
No. 9, Krishnapuri behind, B.Ed.College, P.S.- Nagar, District- Samstipur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Madhav Kumar, Adv.
For the State	:	Mr. Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-03-2026 Heard Mr. Pramod Kumar Singh, learned Counsel

for the petitioner and Mr. Madhav Kumar for the opposite party

no. 2 besides Mr. Jitendra Kumar Singh representing the State.

2. The petitioner apprehends his arrest in connection

with Complaint Case No. 1237 of 2024 for the offence

registered under sections 115, 124, 85, 314 of the BNS and ¾ of

D.P. Act.

3. As per the prosecution story, the marriage of the

opposite party no. 2 took place with the petitioner in the year

2009 but the allegation of torture for dowry is there and finally

the allegation is of ousting.



4. The Co-ordinate Bench has sent the matter to the Mediation Center but the Mediator's report dated 17.01.2026 shows that it failed.

5. Learned Counsel for the petitioner submits that he plies auto at his home place besides helping the father in agricultural work while the lady has taken the two female child to Samastipur for better education.

6. Considering the aforesaid fact, on instruction, the case of the petitioner is that though he is ready to continue with the marital journey, till they come to an amicable settlement, for the present, he is ready to pay Rs. 4,000/- to the lady and Rs. 2,000/- each to the two female child (totaling Rs. 8,000/- per month) which will be paid in her bank account as recorded under:

A/c No. - 28770110017432

A/c Holder's Name- Rashmi Sharma

Branch – Kalyanpur

IFSC No. - UCBA0002877

7. Learned counsel for the opposite party no. 2 submits that though she has been tortured, for the present, the petitioner has shown his inclination to continue with the marital journey and is further ready to take care, she do not have any objection, if relief is granted.



8. In that background, considering the aforesaid fact, as recorded, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 4,000/- to the lady and Rs. 2,000/- each to the two female child (totaling Rs. 8,000/- per month).

9. If the petitioner fails to abide by the undertaking given above, the opposite party no. 2 shall be free to take steps in accordance with law for the cancellation of the bail bond.

10. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Samastipur, District-Samastipur in connection with Complaint Case No. 1237 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

11. Needless to add, the petitioner being the father of the two children, he must have visitation right at least every fortnight, if he so wants.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

