

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55303 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- COMPLAINT CASE - MASAUHRI Dis-
trict- Patna

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Rohit Kumar Son of Yamuna Thakur Resident of Datiyana, P.S.- Bikram, Dis-
trict - Patna.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Khushboo Kumari Wife of Rohit Kumar D/O- Anil Thakur, Resident of vil-
lage - Oriyara, P.S.- Dhanarua, Distt. - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lallu Prasad

For the Opposite Party/s : Mr.Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 07-04-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 166(c) / 2024 dated 14.05.2024 registered
for the offence punishable under Sections 323, 504, 506, 379,
498(A) of the I.P.C. and Section 3/4 of the D.P. Act.

3. The prosecution case in short is that the marriage of the
complainant was solemnized with the petitioner according to
Hindu rites and rituals five years ago and out of the wedlock one
girl child was born. It is alleged that all the accused persons
named in the complaint including the petitioner started torturing



her and on 25.04.2024 all accused persons assaulted her and ousted her from matrimonial home after snatching her ornaments.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has not committed any offence in the manner alleged and has falsely been implicated in this case. He further submits that after five years of marriage during which three children has born from the wedlock the present false complaint has been filed by the complainant. The petitioner is ready to keep his wife with full dignity and honour along with children but the complainant herself does not want to reside with the petitioner. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family, the petitioner undertakes to pay a sum of Rs. 3,000/- per month to the opposite party no. 2 as “living cost” subject to final outcome of the present case as well as matrimonial case and / or maintenance case filed and decided between the parties.

5. Learned counsel for the complainant / opposite party no. 2 submits that petitioner along with his family members meted out cruelty to the complainant and the complainant / opposite party no. 2 is at the verge of starvation. However, he accepts the offer so made by learned counsel for the petitioner and submits



that the petitioner may be directed to deposit the said amount of Rs. 3,000/- per month in the bank account of the complainant / opposite party no. 2, details of which shall be furnished by learned counsel for the opposite party no. 2 to learned counsel for the petitioner within ten days from today.

6. After having heard learned counsel for the parties and taking into consideration the materials on record and the fact that offer made by learned counsel for the petitioner has been accepted by learned counsel for the opposite party no. 2, as such, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his arrest / surrender before the learned court below within a period of six weeks from today be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Masaurhi, Patna in connection with Complaint Case No. 166(c) / 2024 subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following condition:-

(i) that the petitioner shall deposit a sum of Rs. 3,000/- per month in bank account of the opposite party no. 2 positively by the 7th day



of every month starting from the month of May,
2026.

(Anil Kumar Sinha, J)

praful/-

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