

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64685 of 2025

Arising Out of PS. Case No.-548 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Rakesh Mahto S/o Late Nathuni Mahto R/o vill- Ramdiha, Gawandar Tola,
Ward No 5, Ps- Chakiya, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhagwati Devi @ Bhagmati Devi W/o Rakesh Mahto R/o vill - Ramdiha,
Gawandar Tola, ward no. 5, P.S.- Chakia, Distt.- East Champaran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mr. Rina Sinha

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 24-02-2026 1. Heard learned counsel for the petitioner, learned
counsel for the informant/Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Tr. No. 2168 of 2024 arising out of Complaint Case No. C-
548 of 2023, registered for the offences punishable under
Sections 498(A) of the Indian Penal Code.

3. The prosecution case, in brief, is that complainant's
marriage with the petitioner was solemnized on 03.06.2010 as
per Hindu rites, and that her father had incurred expenses
beyond his capacity at the time of marriage. It is alleged that the
petitioner, a member of a joint family, developed an illicit
relationship with his sister-in-law and began neglecting the
complainant. The complainant has further alleged that the



accused persons demanded Rs. 2,00,000/- and a motorcycle from her parental home and, upon refusal, subjected her to cruelty and ultimately ousted her from her matrimonial home on 10.03.2022. A Panchayat was convened on 26.02.2023 to resolve the dispute, but the accused persons allegedly persisted in their demand.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He next submits that he is ready to live with O.P. No. 2 and after Holi, he will go to his in-laws home and bring his wife along with him for living together in her matrimonial home.

5. Learned counsel for the informant/Opposite Party No. 2 submits that informant/Opposite Party No. 2 is ready to live with the petitioner, if she is allowed to live with all care and dignity as wife.

6. Considering the fact that both petitioner and the informant/Opposite Party No. 2 are ready to live together, this anticipatory bail application is provisionally disposed with direction to the petitioner to bring back her first wife, i.e. the informant/Opposite Party No. 2 from her parental home within a period of four weeks and allow her to live with him with all care, love and dignity.



7. Subject to the aforesaid condition, provisional bail is granted to the petitioner for three months.

8. 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 provisional anticipatory bail, upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Tr. No. 2168 of 2024 arising out of Complaint Case No. C-548 of 2023, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

9. The provisional bail can be confirmed by the lower court after three months, if both the parties submit a joint affidavit regarding living together amicably.

(Anil Kumar Sinha, J)

HarshPandey/-

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

