

Arising Out of PS. Case No.-460 Year-2023 Thana- GAYA KOTWALI District- Gaya

... .. Petitioner/s

Versus

- Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kumar Kaushik Ms. Namrata Dubey Mr. Hemant Raj Mr. Shubham Priyadarshi
For the Opposite Party/s :	Mr. Ram Sevak Choudhary Mr. Vaibhav Kumar Mr. Diwanshu Kumar

4 06-02-2026 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504 and 498(A) of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. The petitioner and the opposite party no.2, in compliance of the order dated 09.01.2026, are present in the Court.



4. The learned counsel appearing on behalf of the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the informant. It is next submitted that police had given notice under Section 41(A) of the Cr.P.C. to the petitioner and the petitioner cooperated in the investigation, as such, police never felt the need of arresting the petitioner, but then, charge-sheet came to be submitted based on which, cognizance has been taken, hence petitioner apprehends his arrest. It is also submitted that presently the relationship in between the petitioner and opposite party no.2 has soured to an extent where it is not possible to revive the conjugal relationship, but then, with passage of time and on intervention of well-wishers, the parties may resolve the dispute amicably. It is also submitted that petitioner, being husband, is aware of his responsibility and thus, is willing to pay a monthly maintenance of Rs.12,500/- (Rs. Twelve Thousand Five Hundred Only), which shall commence from 27.02.2026.

5. The learned counsel appearing on behalf of the informant fairly submits that since petitioner is willing to pay a monthly maintenance of Rs.12,500/-, as such, no useful purpose would be served by sending the petitioner to jail. It is also submitted that if petitioner is sent to judicial custody, chances of



future reconciliation will also get marred. The learned counsel for the informant also submits that opposite party no.2 herein has filed Maintenance Case No.190 of 2023, which is pending adjudication in the Court of the learned Principal Judge, Family Court, Gaya. The learned counsel for the informant further submits that bank account number of the opposite party no.2 shall be forwarded on the whatsapp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 27.02.2026.

6. After hearing the learned counsel for the parties, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five 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 Kotwali P. S. Case No.460 of 2023, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that the opposite party



no.2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner, in the event, if the petitioner does not pay the amount of monthly maintenance as agreed for two consecutive months.

9. It is further made clear that the present maintenance shall stop, the moment maintenance is fixed by the learned Family Court, Gaya and the petitioner starts complying the order passed by the Family Court.

10. It is also made clear that the learned Family Court, Gaya shall consider the amount of maintenance in accordance with law.

11. The personal appearance of the petitioner and the opposite party no.2 is dispensed with.

(Satyavrat Verma, J)

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