

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65739 of 2025

Arising Out of PS. Case No.-1223 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

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Umesh Sharma @ Umesh S/O Rajkumar Sharma R/O Village- Dhibar Adrakichak, P.S.- Fatehpur, District- Gaya, At Present R/O House No. 349B, Gali No. 07, Sangam Vihar, South Delhi, P.S.- Bana 3 Delhi, District- Nai Delhi

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Khusbu Kumari W/O Umesh Sharma, D/O Arjun Sharma R/O Vill.- Raksi Chhatarpur, P.O.- Lodhwe, P.S.- Faehpur, Dist.- Gaya, At Present R/O Vill.- Sahaypur, P.S.- Mofassil, Dist.- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyaveer Jha
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 1223 of 2023 registered for the offence under Section 498-A of the Indian Penal Code and under Section 3/4 of the D.P. Act.

3. As per the prosecution case, the petitioner is accused of assaulting and torturing the victim for demand of dowry.

4. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has falsely



been implicated in this case.

5. Learned counsel for the State and learned counsel for the informant has opposed the application of the petitioner.

6. Considering the aforesaid facts along with the submission of the parties and in view of the law laid down by the Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar* reported in **(2014) 8 SCC 273**, this application of grant of anticipatory bail is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya/concerned Court below in connection with Complaint Case No. 1223 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. As a condition of this order, the petitioner is directed to pay a maintenance amount of Rs. 7,000/- from the month of February, 2026 to the informant and the maintenance for the month of February, 2026 shall be paid to the informant



within ten days of pronouncement of this order and thereafter the maintenance amount from the month of March, 2026 shall be paid to the informant every month before the 10th day of the month and if the petitioner fails to pay the maintenance amount to the opposite party no. 02 then his bail bonds shall be cancelled by the Court below.

9. It is made clear that the aforesaid maintenance order will be subject to the outcome of any order of concerned Court below passed in maintenance proceedings, if any.

(Sandeep Kumar, J)

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