

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68590 of 2025

Arising Out of PS. Case No.-618 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Bibhu Shankar @ Sonu S/O Sheo Kumar Sharma Resident of Village Khajuri,
P.S.- Naubatpur, District- Patna At present residing at Maurya Vihar Colony
Road No. 3, Sector C, P.S.- Phulwarisharif, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Arpana Mayank W/O Bibhu Shankar, D/O Late Vijay Pd. Singh R/O New Area, P.O. and P.S.- Nawada Gondapur, Dist.- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Radha Mohan Singh, Advocate
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh, APP
For the Complainant	:	Mr. Shailendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 31-07-2026 Heard Mr.Radha Mohan Singh, learned counsel for

the petitioner and Mr. Shailendra Kumar, learned counsel for the

complainant beside Mr. Jitendra Kumar Singh, learned APP for

the State.

2. The petitioner is apprehending arrest in connection
with Complaint Case No. 618 of 2022 instituted under Section
489(A) of the Indian Penal Code.

3. As per the complaint, the marriage took place in the
year 2018. She was tortured for dowry and finally in the year
2022, she was thrown out of the house which led to the
complaint.



4. In this case, the matter was sent to the Mediation Centre but the report dated 22.06.2026 shows that it failed.

5. Learned counsel for the petitioner on instruction submits that a Divorce Case vide Matrimonial Case No. 599 of 2022 is presently pending before the learned Principal Judge, Family Court, Patna.

6. The lady is an employee, still till a decision comes in the matrimonial suit and/or she files matrimonial case, the petitioner on his own is ready to contribute Rs.10,000/- per month in the account of the lady.

7. Learned counsel for the informant on the other hand submits that she will be filing a proper maintenance case before the Family Court.

8. This Court is of the view that the mediation failed, the petitioner is serving, has no criminal antecedent, divorce case is already pending, sending him jail will not serve any purpose, he has offered to give financial assistance to the lady till an order comes in maintenance case, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- in the account of the lady having account number, the lady shall be filing a proper petition for maintenance in six month before the Family Court and the



result of the said maintenance case will affect the present payment inasmuch as this order will be merged with the order passed by the learned Principal Judge, Family Court, Patna.

9. If the lady fails to file any petition in next six months, she will cease to get financial assistance.

10. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Complaint Case No. 618 of 2022 to the satisfaction of learned Judicial Magistrate-1st Class, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) 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;

(iv) 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;

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

(Rajiv Roy, J)

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