

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69739 of 2025

Arising Out of PS. Case No.-260 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Rohit Mahto @ Rohit Kumar S/O Ramadhar Mahto Resident of Vill.-
Karrakh, P.S.- Bibhutipur, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina devi w/o Rohit Mahto R/O karrakh Tola Bhavwandpur ward no-07 p.s-
Bibhutipur dist-Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar
For the State	:	Mr.Nirmal Kumar Sinha
For the OP-2	:	Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-01-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioner who is husband of the opposite party
no. 2, apprehends his arrest in a case registered for the offences
under Sections 126(2), 115(2), 74, 85 of the B.N.S., 2023.

3. The informant alleges that her marriage was
solemnized with this petitioner on 21.08.2020 in Ashokdham
Temple, Begusarai and after five years of marriage, petitioner
went to Deoghar, but did not return. She further alleges that
when she inquired, she learnt that petitioner has solemnized
second marriage and on objection raised by informant, family
members of petitioner assaulted and ousted her.



4. Learned counsel for the petitioner submits that petitioner denies the allegation made in the F.I.R. Even, petitioner disputes solemnization of marriage with opposite party no. 2. However, the petitioner undertakes to give Rs. 3,000/-per month by way of temporary relief/solace, starting from this month, to the opposite party no.2.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (Rupees three thousand) per month*** to the opposite party no. 2, in the event of arrest/surrender within a period of eight weeks from today, let the above-named petitioner be enlarged on 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. Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 260 of 2025, subject to the conditions laid down under section 482 of the B.N.S.S. as well as on the following conditions:-

- “(1) Opposite party no. 2 would file an affidavit before the court below and bring on record her savings bank account number for its communication to the petitioner.
- (2) Petitioner would deposit the aforesaid amount per month in the savings bank account of the opposite party no. 2.



- (3) In case, the petitioner fails to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.
- (4) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.”

(Prabhat Kumar Singh, J)

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