

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73625 of 2025

Arising Out of PS. Case No.-315 Year-2025 Thana- PAKRIDAYAL District- East Champaran

Kundan Sah S/o Manoj Sah R/o Village - Madhurap, P.S - Phenhara, District -
East Champaran At Present R/o Village - Pakaridayal, P.S - Pakaridayal,
District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ragani Kumari W/o Kundan Sah D/o Late Dinanath Prasad, R/o -
Pakaridayal, Near Girja Vivah Bhawan, P.S - Pakaridayal, District - East
Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 09-03-2026 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 Pakhridayal P.S. Case No. 315 of 2025 registered for the
offence under Sections 126(2), 115(2), 329(4), 76, 85, 92, 109,
352, 351(2), 3(5) of the Indian Penal Code and under section 3/4
of the Dowry Prohibition 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 Chief Judicial Magistrate, East Champaran at Motihari/concerned Court below in connection with Pakhridayal P.S. Case No. 325 of 2025, 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. 10,000/- from the month of March, 2026 to the informant and the maintenance for the month of March, 2026 shall be paid to the informant within



ten days of pronouncement of this order and thereafter the maintenance amount from the month of April, 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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