

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88247 of 2024

Arising Out of PS. Case No.-1818 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Netilal Sahani @ Naitik Kumar S/O Nanhki Sahni @ Nanki Sahni R/O
Village- Sajanpur, P.S- Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari D/O Basudeo Sahani R/O Village- Sakri Chandpura, P.S-
Piar, Dist.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

7 29-04-2026 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the O.P. No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A of the
Indian Penal Code read with Section 4 of the Dowry Prohibition
Act.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and being husband,
has been falsely implicated in the instant case by the
complainant. It is further submitted that the relationship in
between the petitioner and the O.P. No. 2 has deteriorated to an



extent where it is not possible to revive the conjugal relationship for the present, but then with passage of time and on intervention of well wishers, the parties may resolve their dispute amicably. It is further submitted that petitioner being husband is aware of his responsibility towards the complainant and two children who are residing with her, but then petitioner is working as a labourer at Delhi.

4. Learned counsel appearing on behalf of the petitioner, based on instruction, submits that petitioner is willing to pay a monthly maintenance of Rs. 4500/- to the O. P. No. 2 which shall commence from 01.05.2026.

5. Learned counsel appearing on behalf of the O.P. No. 2 submits that though petitioner has agreed to pay the maintenance of Rs. 4500/- to the O.P. No. 2, but then it might be a ploy for seeking anticipatory bail, on which the learned counsel appearing on behalf of the petitioner submits that in the event if anticipatory bail is granted and the petitioner breaches the condition of maintenance as agreed, in that event, the anticipatory bail would be liable to be cancelled, on which the learned counsel appearing on behalf of the O.P. No. 2 submits that sine petitioner is undertaking to pay a monthly maintenance to the O.P. No. 2, as such, no useful purpose would be served by



sending the petitioner to jail, as chances of future reconciliation will also get marred.

6. The learned counsel for the OP No. 2 submits that he will *WhatsApp* the bank account number of the OP No. 2 on the *WhatsApp* number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance, as agreed, commences from 01.05.2026.

7. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Complaint Case No. 1818 of 2019 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, in the event if the petitioner does not deposit the monthly maintenance as agreed for two consecutive months.



9. It is further made clear that the present maintenance shall stop, if a Court of competent jurisdiction fixes the maintenance.

10. **Accordingly, the instant anticipatory bail application stands allowed.**

(Satyavrat Verma, J)

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