

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88129 of 2025

Arising Out of PS. Case No.-358 Year-2023 Thana- COMPLAINT CASE District-
Kishanganj

=====

Madan Kumar Jayswal (Bhagat) Son of Om Prakash Bhagat R/o Village-
Kanwar Kothi, P.S.- Barari, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dipika Kumari Wife of Madan Kumar Jayswal (Bhagat), D/o Banarsi Chaudhary Resident of Mohalla- Khagra Ward No. 22, P.S. and District- Kishanganj

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar, Advocate
For the State	:	Mr.Mritunjay Kumar Nirala, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 26-02-2026 Heard learned counsel for the petitioner; learned

A.P.P. for the State and learned counsel for the Complainant-

Opposite Party No. 2.

2. The petitioner apprehends arrest in connection
with Complaint Case No. 358(C) of 2023 instituted under
Sections 498(A) of the Indian Penal Code.

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

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 Opposite party no. 2 has opposed the application of the petitioner.

6. Considering 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 four 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 Sub Divisional Judicial Magistrate, Kishanganj/concerned Court below in connection with Complaint Case No. 358(C) 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/- per month, beginning from the month of February, 2026 to the opposite party no. 2 and the maintenance for the month of February, 2026 shall be paid to the opposite party no. 2 within two weeks from the date of pronouncement of this order and thereafter the



maintenance amount shall be paid to the opposite party no. 2 every month before the 10th day of the month.

9. It is made clear that the order of maintenance passed by this Court shall be subject to the outcome of maintenance case of the Court of Principal Judge, Family Court/ concerned Court, if any.

(Sandeep Kumar, J)

P. Kumar

U		T	
---	--	---	--

