

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89363 of 2025

Arising Out of PS. Case No.-34 Year-2024 Thana- MAHILA P.S. District- Sitamarhi

Prabhat Kumar @ Prabhat Pathak S/O Late Bhawanand Pathak Resident of
village Choraut Uttari, Ward No.1, P.S. Choraut, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Priyanka Kumari Wife of Prabhat Kumar @Prabhat Pathak Dio Gopal Krishna Thakur, Presently residing at Village- Dharharwa, P.S. Parihar, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-02-2026 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 Sitamarhi Mahila P.S. Case No. 34 of 2024 registered under
Sections 498(A), 341, 323, 504, 406, 506/34 of I.P.C.

3. As per the prosecution case, the petitioner and others
are 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 informant has opposed the
application of the petitioner.



6. Considering the submission of the parties and in light 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 S.D.J.M., Sadar, Sitamarhi/concerned Court below in connection with Sitamarhi Mahila P.S. Case No. 34/2024 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS and with further condition that:

(I). The petitioner is directed to pay a maintenance amount of Rs. 11,000/- from the month of January 2026 to the informant and her two children and the maintenance for the month of January and Februrary 2026 shall be paid to the informant before 28.02.2026 and thereafter the maintenance amount shall be paid to the informant every month before the 10th day of the month.

(Sandeep Kumar, J)

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