

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89768 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- MAHILA P.S. District- Siwan

Rakesh Mahto @ Rakesh Kumar son of jagdev Mahto @ Jagdev Village
-Mora Khas, PS- Bhagwanpur Hat, District -Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punita Kumari Daughter of Panalal Mahto Resident of village- Nonia Tola
Ps- Goreakothi, Dist- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

learned APP for the State, and the learned counsel for the

opposite party no. 2.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 26 of 2025, for the offence under
Sections 85, 82(1), 316(2), 3(5) of the B.N.S., and section 3/4 of
the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner and
others are accused of assaulting and torturing the victim for
demand of Rs. 50,000/- as a 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. He further submits that there is no specific allegation against the petitioner of demand of dowry. Petitioner has clean antecedent.

5. Learned APP for the State 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 for 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 anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Siwan,/concerned Court below in connection with Siwan Mahila P.S. Case No. 26 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482(2) of the BNSS and with further condition that:

(I). The petitioner is directed to pay a maintenance amount of Rs. 10,000/- from the month of February 2026 to the complainant



/informant. The maintenance for the month of February 2026 shall be paid to the complainant/informant within ten days from today, and thereafter, the maintenance amount shall be paid to the complainant /informant every month before the 10th day of each month.”

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

9. Needless to state that, if the petitioner fails to abide by the terms and conditions, as stated hereinabove, the State shall be at liberty to file an appropriate application, before the learned concerned Court below for cancellation of bail granted to the petitioner.

10. Let a copy of this order be communicated to the Principal District & Sessions Judge, Siwan through FAX for its compliance forthwith.

(Sandeep Kumar, J)

Ranjeet/-

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