

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3899 of 2025

Arising Out of PS. Case No.-12 Year-2023 Thana- MAHILA P.S. District- Purnia

Md. Yunus @ Md. Yunus Baitha Son of Md. Jalil Resident of Village - Rahua,
P.S. - K. Nagar (Maranga), District - Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shama Praveen, D/o Md. Naushad, R/o Aravia College, Teachers Colony,
P.S. Sahayak, Distt. Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Aggarwal, Sr. Advocate
		Mr. Bidhu Ranjan, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 09-05-2025 Heard Mr. N. K. Aggarwal, learned Senior counsel

along with Mr. Bidhu Ranjan, learned counsel appearing on

behalf of the petitioner and Mr. Rana Randhir Singh, learned

APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 12 of 2023 registered under Sections
341, 323, 498A, 504, 506 and 34 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

3. As per the allegation made in the FIR, due to non-
fulfillment of demand of dowry, the petitioner tortured the
Opposite Party No.2 (wife of the petitioner), which resulted into
injury of severe magnitude to her.



4. Mr. N. K. Aggarwal, learned Senior counsel appearing on behalf of the petitioner submits that petitioner is a widower and he solemnized second marriage with Opposite Party No.2. At the time of second marriage the petitioner had three children, which was in knowledge of the Opposite Party No.2. The matrimonial dispute arose between the parties because the informant allegedly didn't take care of the three children of the petitioner. A Maintenance Case No.23 of 2024 has already been filed by the Opposite Party No.2, which is pending before the learned Principal Judge, Family Court, Purnia. It is further submitted that the petitioner is ready to make payment of maintenance amount fixed by the learned Family Court. The petitioner is taking care of his three children and, if and when, the informant want to visit to his home, the petitioner has no objection to that. The petitioner has clean antecedent. On these grounds, the petitioner seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the petitioner is ready to make payment of maintenance amount fixed by the Principal Judge



concerned in the Maintenance Case No.23 of 2024 and the petitioner is also taking care of his three children, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnia in connection with Mahila P.S. Case No. 12 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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