

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8323 of 2025

Arising Out of PS. Case No.-336 Year-2023 Thana- COMPLAINT CASE District- Araria

Md. Nauman @ Nauman Son of Ekram @ Md. Ekram village- Chakai, Ward no. 2, Ps- Joki hat, Dist- Araria

... .. Petitioner

Versus

1. The State of Bihar
2. Nadia Tanjeem Daughter of Md. Muzaffarpur Jamal village- Chakai, Ward no. 2, Ps- Joki hat, Dist- Araria P/A- Residing at Village- turkaili, Ward no. 10, ps- Joki hat, Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and the State. Despite valid service of notice, nobody appears for opposite party no.2.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 498A, 379, 384, 504, 506, 328, 511/120B of the Indian Penal Code.

3. As per the prosecution case, petitioner was married to opposite party no.2 in 2021. After sometime, petitioner and his family members started demanding dowry of Rs.5 lacs and a motorcycle and on non-fulfilment of demand of dowry, accused persons committed torture on opposite party no.2 and ousted her from the matrimonial house.

4. Learned counsel appearing for the petitioner while denying the allegations, submits that the petitioner has falsely been implicated in this case because he is husband of the victim. However, petitioner is ready to keep the victim in matrimonial house with honour and dignity. Opposite party



no.2 has also filed Maintenance Case No. 150 of 2023 in the family court. Learned counsel submits that the case is triable by the Magistrate. Petitioner has relied upon judgment of this Court, passed in case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar**, reported in **2006(3) PLJR 182**.

5. Considering the aforesaid facts and circumstances of the case as also the judgment of this Court, in the event of arrest or surrender within eight weeks from today, let this petitioner, as named above, be enlarged 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 Judicial Magistrate 1st class, Araria in Complaint Case No. 336C/2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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