

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8895 of 2025

Arising Out of PS. Case No.-980 Year-2023 Thana- COMPLAINT CASE District- Supaul

Md. Shamsher Son of Md. Habib Resident of Village - Mohania, Ward No.13,
P.S. and District - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bano Khatun Wife of Md. Shamsher Resident of Village - Laudt Ward No. 05, P.S. and District - Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivek Kumar, Advocate
For the Opposite Party/s	:	Ms. Rina Sinha, APP
For the Complainant	:	Ms. Madhumala Kumari, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 25-09-2025 Heard learned counsel for the petitioner, learned
counsel for the complainant as well as learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 980(C) of 2023, registered for the
offences punishable under Sections 341, 323, 324, 354(B),
498(A)/34 of the IPC and Section 4 of the D.P. Act.

3. It is a case of matrimonial dispute.

4. Vide order dated 14.05.2025, the matter was
referred to the Patna High Court Mediation and Conciliation
Centre. The report of the learned Mediator shows that the matter
was not resolved between the parties and therefore, the
mediation failed.



5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He is a person of clean antecedent. Learned counsel has further submitted that the petitioner is ready to pay Rs. 4,000/- per month as interim maintenance to the complainant.

6. On the other hand, although the learned counsel for the complainant has opposed the prayer for bail but conceded that she may be allowed some interim maintenance as she is passing her miserable days in financial scarcity.

7. Considering the above-mentioned facts and circumstances especially the fact that the petitioner is ready to pay Rs. 4,000/- per month as interim maintenance to the complainant, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Supaul in connection with Complaint Case No. 980(C) of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C./ 482(2) of the BNS, 2023.

8. The petitioner is directed to pay Rs. 4,000/- per



month as interim maintenance to opposite party no. 2 (the complainant). The interim maintenance will be subject to any other order granted by any other Court of competent jurisdiction granting maintenance to Opposite Party No. 2 (the complainant).

9. If the petitioner fails to pay two consecutive EMIs, his bail bond shall liable to be cancelled.

(Nawneet Kumar Pandey, J)

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