

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6911 of 2025**

Arising Out of PS. Case No.-1597 Year-2023 Thana- BHAGALPUR COMPLAINT CASE  
District- Bhagalpur

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Md. Danish Alam @ Md. Danish Son of Md. Rustam Kazi @ Md. Rustam  
Resident of Village - Mandaridih, P.S. - Mahagama, District - Godda  
(Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisharun Khatoon Wife of Md. Danish, Daughter of Md. Siraj Resident of  
Village - Mandaridih, P.S. - Mahagama, District - Godda (Jharkhand), at  
present resident of Village - Jalaha, P.S. - Sanokhar, District - Bhagalpur  
(Complainant)

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Diwakar Upadhyaya  
For the Opposite Party/s : Mr.Sharda Kumari

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

ORAL ORDER

5      23-09-2025                      Heard learned counsel for the petitioner as well as  
learned APP for the State and the learned counsel for O.P. No. 2.

2. The petitioner apprehends his arrest in connection with  
Complaint Case No. 1597 of 2023, registered for the offences  
punishable under Sections 323, 504, 506 and Section 498-A of the  
IPC.

3. It is a case of matrimonial dispute.

4. Vide order dated 12.05.2025, the matter was referred  
to the Patna High Court Mediation and Conciliation Centre. The  
report of the learned Mediator shows that the matter could not be  
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 this case. He has further submitted that the petitioner is ready to keep the complainant with full dignity and honour, but the opposite party no. 2 is not willing to reside with the petitioner. On query of this Court, the learned counsel has submitted that the petitioner cannot pay more than Rs. 4,000/- per month as interim maintenance to opposite party no. 2.

6. On the other hand, the learned counsel for O.P. No. 2 has submitted that due to atrocities being suffered by the opposite party no. 2 by the side of in laws, the complainant has every apprehension of torture by in laws. The opposite party no. 2 is a poor women.

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 opposite party no. 2, 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 Judicial Magistrate-Ist Class, Bhagalpur in connection with Complaint Case No. 1597 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**8. The petitioner is directed to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2 (the**



informant).

9. It is made clear that if the petitioner fails to pay two continuous installments, his bail bond shall stand cancelled.

(Nawneet Kumar Pandey, J)

Nirmal/-

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