

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9431 of 2025

Arising Out of PS. Case No.-10405 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Gauhar Hasnain S/o- Md. Hasnain Uddin Resident of Sector- 2 New
Millat Colony P.S- Phulwarisharif, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mrs. Shagufta Perween W/o- Md. Gauhar Hasnain, D/o- Late Gulam Sultan
R/o- Benm Po Ps- Block- Ben Dist- Nalanda, R/o- Alba Colony Shaban Apt.
Flat No-101, Ps- Phulwarisharif Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar
For the State	:	Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 23-07-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State as well as
learned counsel for the informant.
2. This application, for grant of anticipatory bail, arises out
of Complaint Case No. 10405 C of 2023, dated
23.11.2023, disclosing offences under Sections
498A/323/406/494/504 of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.
3. The allegation, as per the complaint case, is that the
marriage of the complainant-Opposite Party No. 2 was
solemnized with the petitioner on 02.08.2023 as per
Islamic rites and customs. At the time of marriage the



mother of the complainant gave Rs. 2 Lakh cash, Rs. 3 Lakh worth jewelry, furniture worth Rs. 1.5 Lakh and other household items as gift and Mehar of Rs. 51,000/-. After some time the petitioner, along with his family members, subjected the complainant to threats of being burnt alive if their demand were not met. It has further been alleged that the petitioner and his family members have their eyes on the flat owned by the complainant's mother and due to non-fulfillment of the demand, the complainant was tortured mentally and physically and ultimately ousted from her matrimonial home.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending and/or decided between the parties.
5. Learned Counsel for the complainant-Opposite Party No.



2 accepts the offer so made by learned Counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 5,000/- per month in the bank account of the complainant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner within ten days from today.

6. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon 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, Patna, in connection with Complaint Case No. 10405 C of 2023.
9. This is subject to the condition that the petitioner shall



deposit a sum of Rs. 5,000/- per month in the bank
account of Opposite Party No. 2, staring from 07th August,
2025.

(Anil Kumar Sinha, J)

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