

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13161 of 2025**

Arising Out of PS. Case No.-622 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

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Mazhar Hussain @ Md Majhar Hussain Son of Md Mahtab Alam @ Mahtab
Alalm R/O Ward No. -09, Vill- Ansarganj, P.S.- Sherghati, District- Gaya,
Bihar-824206.

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Tabassum Praveen W/O Mazhar Hussain R/O Vill- Ansarganj, P.S.-
Sherghati, District- Gaya, at present residing at Vill- Narayanpur, P.S.-
Maigra, District- Gaya, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

5 07-07-2025 Heard Mr. Nikhil Kumar Agrawal, learned counsel

for the petitioner, learned counsel for the complainant and Mr.

Nityanand, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 622 of 2023, F.I.R. dated
11.09.2023 for the offences punishable under Sections 498(A)
of the Indian Penal Code.

3. According to prosecution case, the petitioner
along with other co-accused persons have assaulted the
complainant on non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that he is husband of the complainant. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that in compliance of the order dated 15.05.2025, the petitioner has approached the complainant on 19.05.2025, 09.06.2025, 07.06.2025, 12.06.2025, 13.06.2025 and 02.07.2025 but despite of the effort the O.P. No. 2 is not ready to live with the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the Court has no other option but to grant the privilege of anticipatory bail to the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned A.C.J.M.-I, Sherghati in connection with Complaint Case No. 622 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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