

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12308 of 2025

Arising Out of PS. Case No.-427 Year-2018 Thana- COMPLAINT CASE - MASAUH
District- Patna

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Mohammad Aslam S/O Usuf Miyan R/O Village- Itawan, P.S- Haspura,
Distt.- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabana Prabin S/O Mohammad Raphik, W/O Mohammad Aslam R/O
Village- Kailu Chak, P.S- Masaudhi, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the State : Mr. Ram Bilash Roy Raman

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

ORAL ORDER

7 18-11-2025 Heard learned counsel for the petitioner as well as the

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 427(C) of 2018, registered for the
offences punishable under Sections 323, 498(A), 504, 506 of the
IPC.

3. The complainant Shabana Prabin is wife of the
petitioner. According to allegation, her marriage was solemnized
with the petitioner on 08.10.2010. The accused persons tortured
her for non-fulfillment of demand of dowry. It is further alleged
that her husband has solemnized his second marriage with Roshan
Khatun.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It has further been submitted that notices were sent to the complainant but none appeared on her behalf. It has further been submitted that the impugned order shows that the victim is suffering from ailments and is under treatment.

5. The petitioner has solemnized his second marriage and is ready to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2.

6. 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 S.D.J.M., Masaudhi, Patna in connection with Complaint Case No. 427(C) of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C./ 482(2) of the BNSS, 2023.

7. The petitioner is directed to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2 (the complainant). The interim maintenance granted by this Court shall



be subject to adjustment, if any other court grants maintenance to
the opposite party no. 2.

(Nawneet Kumar Pandey, J)

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