

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 19996 of 2025**

Arising Out of PS. Case No.-399 Year-2019 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

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Md. Mammun Akhtar @ Md. Mammun Akhtar S/o-Late Umar Akhtar @  
Umar Quraishi @ Md. Amar Karim R/o - Sabbait, P.S - Silao, District -  
Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Armana Bano W/O Mammun Akhtar Village- Sabbait Ps- Silao Dist-  
Nalanda A/P- Kulsum Tola, Ps- Bihar Dist- Nalanda

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar, Advocate  
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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

3      09-07-2025                      Heard Mr. Pankaj Kumar, learned counsel for the  
  
petitioner and Mr. Mukesh Kumar Singh, learned Additional  
  
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Complaint Case No. 399 of 2019 for the  
offences punishable under Sections 498, 323 and 504 of the  
Indian Penal Code but the learned Court below has taken  
cognizance only under Section 498a of the Indian Penal Code.

3. According to prosecution case, the informant  
alleges that the petitioner and other accused persons have  
assaulted the petitioner due to non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that



the petitioner has clean antecedent and he has falsely been implicated in the present case. 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 fact, the complainant has earlier filed the complaint case bearing Case No. 652c/2018 on 11.06.2018 for the same set of allegation but the said complaint petition was dismissed vide order dated 18.08.2018 and for the same set of allegation the complainant has filed the present complaint petition in the year 2019. He further submits that petitioner is regularly paying Rs. 3000/- (Rs. Three thousand) per month to the complainant since 16.05.2018 and apart from that the complainant is receiving the house rent amount and from perusal of the present complaint petition, it appears that the complainant has filed the present complaint case only to harass the petitioner, which suggests that the complainant has misused the process of the law.

5. Learned counsel for the complainant has filed a detailed counter affidavit and vehemently opposes the prayer for bail of the petitioner and submits that the petitioner has not complied with the agreement which was taken place before the Mahila Thana on 12.05.2018.



6. Learned counsel for the petitioner submits that pursuant to that the petitioner has paid Rs. 3,000/- (Rs. Three thousand) per month to the complainant and apart from that the complainant is receiving the house rent amount.

7. Considering the aforesaid facts, the petitioner has clean antecedent and the complainant has filed the second complaint petition after dismissal of first complaint petition, 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 J.M.F.C, Nalanda at Bihar Sharif in connection with Complaint Case No. 399 of 2019, 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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