

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24364 of 2025

Arising Out of PS. Case No.-158 Year-2024 Thana- PHULPARAS District- Madhubani

Md. Amir @ Md. Aamir Son of Habibul Mansuri @ Habbibul Mansuri
Resident of Village- Amauja, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saguphta Pravin W/o- Md. Amir alias Md. Aamir D/o- Gulam Sarvar Village
, Post - Suggapatti PS - Phulprash Distt - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 19-12-2025 Heard Mr. Shailendra Kumar Jha, learned counsel for

the petitioner, Mr. Jitendra Kumar Singh for the State as also

Mr. Sajid Salim Khan representing the informant.

2. The petitioner apprehends his arrest in connection
with Phulparash P.S. Case No. 158 of 2024 corresponding to
G.R. No. 590 of 2024 for the offence registered under sections
341, 323, 498A, 379, 506, 34 of the Indian Penal Code and 3/4
of D.P. Act.

3. As per the prosecution story, the informant, wife of
the petitioner alleged that the nuptial knots were tied in the year
2021, a child came into this world in the year 2022 but she was
always tortured for dowry and ultimately, thrown out of the in-



laws house. A *panchayati* took place but as they were not ready to keep her, the case.

4. Once the petition came before this Court, number of adjournments were made to see to it that the couple come to an amicable settlement. The petitioner on the last occasion also gave an undertaking that he will be going to his in-laws house to take back his wife along with his child.

5. However, a supplementary affidavit has been filed stating that on 29.11.2025, he went to the place but the in-laws refused to allow the lady to come with him.

6. Mr. Sajid Salim Khan, learned Senior counsel for the opposite party no. 2 submits that the order was passed on 10.10.2025, by their own admission, the petitioner took one and half month to go to the in-laws house and the video footage though incorporated in the supplementary affidavit has not even been provided for the perusal of the Court.

7. At this stage, learned counsel for the petitioner, on instruction, submits that since she is a legally wedded wife and a child has come out of the wedlock, on his own, he would like to contribute Rs. 10,000/- to her which will go in her bank account by 10th of every month and failure to do so, she can take immediate steps for cancellation of bail bond, if relief is granted



in the matter.

8. Learned Senior counsel for the opposite party no. 2 submits that though he has tortured the lady for the dowry and has continuously chose to look the other way, has not even bothered to see the face of the child, if this economic support has been offered on his own, reserving her right to pursue the present case, she do not have any objection to the relief if granted to the petitioner.

9. In that background and taking into account the larger cause for the child who has arrived in this world in the year 2022, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 10,000/- by 10th of every month in her bank account.

10. Failure to do so, the lady shall be free to take immediate steps for cancellation of his bail bond.

11. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Jhanjharpur, Madhubani in connection with Phulparash P.S. Case No. 158 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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