

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21647 of 2025

Arising Out of PS. Case No.-771 Year-2023 Thana- COMPLAINT CASE District-
Kishanganj

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Md. Mohsin @ Md. Mohsin Raza S/o- Md. Mohiuddin @ Lal Miya Resident
of Village- Bhog Dabar Naya Basti, P.S. Pathamari, District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tahera Bagum W/o- Md. Mohsin @ Md. Mohsin Raza, D/o- Md. Nijamuddin Village- Ganjabari Ps- Pathamari Dist- Kishanganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Adv

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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

ORAL ORDER

4 23-12-2025 Heard learned counsel for the petitioner as well as

learned APP for the State and the learned counsel for O.P. No. 2.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. C771 of 2023, registered for the
offences punishable under Sections 341, 323, 498A, 354B, 504,
506/34 of the Indian Penal Code and Sections ¾ of the D.P. Act.

3. It is a case of matrimonial dispute.

4. Vide order dated 24.09.2025, the matter was
referred to the Patna High Court Mediation and Conciliation
Centre. The report of the learned Mediator shows that the matter
could not be resolved between the parties and therefore, the
mediation failed.



5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has clean criminal antecedent. He has further submitted that the petitioner is ready to pay Rs. 5,000/- per month as interim maintenance to opposite party no. 2.

6. On the other hand, the learned APP for the State has opposed the prayer for bail.

7. Considering the above-mentioned facts and circumstances, especially the fact that the petitioner is ready to pay Rs. 5,000/- 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 SDJM, Kishanganj, in connection with Complaint Case No. C771 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

8. The petitioner is directed to pay Rs. 5,000/- per month as interim maintenance to opposite party no. 2 (the complainant), failing which the bail bonds of the petitioner shall be cancelled. The interim maintenance will be subject to any other order granted by any other Court of competent



**jurisdiction granting maintenance to Opposite Party No. 2
(the complainant).**

(Nawneet Kumar Pandey, J)

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