

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28926 of 2025

Arising Out of PS. Case No.-93 Year-2024 Thana- MAHILA PS District- Darbhanga

Mohammad Akib @ Md. Akib @ Raja S/O Md. Faruk @ Md. Farooque R/o -
Malkana, P.S - Bajidpur, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Noor Saba W/O Mohammad Akib @ Md. Akib, D/O Md. Nesharul @ Md. Nisharul At Present R/O Vill.- Bahuara, P.S.- Kamtaul, Dist.- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s :	Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 19-08-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 85, 303(2),
351(2), 115(2) and 3(5) of the BNS.

3. Learned counsel appearing on behalf of the
petitioner submits that petitioner being the husband has been
falsely implicated in the instant case. It is further submitted that
petitioner has also filed an application seeking restitution of his
conjugal rights in which the informant has appeared. It is next
submitted that chances are bright for reaching an amicable
settlement. It is also submitted that petitioner being the husband



is aware of his responsibility towards the informant and his two children who are presently staying with her.

4. Learned counsel for the petitioner submits that he has instruction to make submission that petitioner is willing to pay a monthly maintenance of Rs.5,000/- which shall commence from 01.09.2025.

5. Learned counsel appearing on behalf of the informant fairly submits that if petitioner is sent to judicial custody in that event chances of reconciliation will get marred. It is further submitted that since petitioner is willing to pay a monthly maintenance of Rs.5,000/-, as such, the informant is not opposing the prayer for anticipatory bail of the petitioner. It is next submitted that bank account number of the informant shall be WhatsApped on the WhatsApp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 01.09.2025.

6. Learned A.P.P. for the State is present.

7. After hearing the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six



weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Darbhanga Mahila P.S. Case No. 93 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. However, the informant shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, if the petitioner does not deposit the amount of maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

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