

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27745 of 2025**

Arising Out of PS. Case No.-615 Year-2023 Thana- COMPLAINT CASE District-  
Kishanganj

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Gulam Sarbar Son of Naziruddin R/o Village- Chandbhitta Kumhiya Ward No  
15, PO - Tarabari, PS- Garbandanga, Dist- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rawnnak Jahan Wife of Gulam Sarabar Village- Chandbhitta kumhiya ward  
no 15, Po- Tarabari, PS- Garbandanga, Dist- Kishanganj At P/A- Residing at  
D/o- Abdus Salam, Village- Domohni, ward no. 4, Po- Bangama, Ps-  
Bahadurganj, Dist- Kishanganj

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Dr. (Mr.) Ajeet Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      13-08-2025                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 147, 148,  
149, 341, 323, 506, 379, 498(A) and 34 of the Indian Penal  
Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the  
case was taken up on 07.05.2025 when notices were issued on  
opposite party no. 2. It is further submitted that from perusal of  
the office report dated 08.07.2025, it would manifest that the  
same records that registered cover notice has been received by  
the opposite party no. 2. It is next submitted that opposite party



no. 2 despite receiving notice chooses not to appear.

4. Learned counsel for the petitioner submits that petitioner being the husband has been falsely implicated in the instant case by the opposite party no. 2. It is further submitted that elder sister of the opposite party no. 2 was married to the petitioner and after the death of the sister of the opposite party no. 2, the family members of the opposite party no. 2 got her married to the petitioner. It is next submitted that it appears that opposite party no. 2 is not interested in reviving her conjugal relationship. It is also submitted that petitioner being the husband of the opposite party no. 2 is aware of his responsibility and is willing to pay a monthly maintenance of Rs.4,000/- to the opposite party no. 2 which shall commence from 01.09.2025.

5. Learned A.P.P. for the State, at this stage, submits that a very fair submission has been made by the learned counsel appearing on behalf of the petitioner in absence of the opposite party no. 2.

6. Considering the submissions made by the learned counsel for the petitioner, 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.5,000/- (Rupees



Five 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 Complaint Case No. 615 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that opposite party no. 2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner in the event the petitioner does not deposit/give the amount of maintenance as agreed for two consecutive months.

**(Satyavrat Verma, J)**

Kundan/-

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