

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33087 of 2025

Arising Out of PS. Case No.-1084 Year-2022 Thana- COMPLAINT CASE District- Banka

Mushkan Mohit @ Muskan Mohit S/o- Bharat Kumar Singh @ Bharat Kumar
Bharti Village- Barhara, Police Station- Belhar, District-Banka

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Priti Kumari W/o- Mushkan Mohit, D/o- Purushottam Pd. Singh Village-
Gadhi, Police Station- Belhar, District-Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 08-10-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Complaint Case No. 1084 of 2022 registered for the offence
under Sections 498A, 323, 324, 379, 312 of the Indian Penal
Code and under Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner is
accused of torturing his wife.

4. The petitioner is in custody since 18.02.2025.

5. Learned counsel for the petitioner submits that
the petitioner has falsely been implicated in this case and he
should not have been arrested in view of the Judgment of the
Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State
of Bihar reported in (2014) 8 SCC 273*.

6. Learned counsel for the informant has
vehemently opposed the application of the petitioner for grant of



bail.

7. Considering the period of custody of the petitioner, this application is allowed.

8. Let the petitioner, above named, 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 Judicial Magistrate, 1st Class, Banka/concerned court below in connection with Complaint Case No. 1084 of 2022.

9. The Principal Judge, Family Court, Banka is directed to conclude the Maintenance Case bearing Registration No. 28 of 2023 within three months from the date of communication of this order. The Principal Judge, Family Court, Banka is directed to proceed ex-parte against the non-cooperating party.

10. Let a copy of this order be communicated to the Principal District and Sessions Judge, Banka through FAX for its compliance.

(Sandeep Kumar, J)

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