

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41458 of 2025

Arising Out of PS. Case No.-363 Year-2024 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Md. Sahaab Hassan @ Shahab Hassan, Son of Late Noor Hassan @ Late Mohammad Noor Hassan, Resident of Mohalla- Khachi Gali, Sherpur Mohalla, P.S.- Laheri, P.O.- Bihar Sharif, Distt.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saheen Perween Wife of Md. Shahab Hassan Resident of Mohalla- Khachi Gali, Sherpur Mohalla, P.S.- Laheri, P.O.- Bihar Sharif, Distt.- Nalanda (Bihar), D/O- Md. Sadique Hussain, resident of Afzal Nagar, P.S.- Bundel Khand, Distt.- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sushen Kumar Keshri, Adv.
For the Opposite Party/s	:	Mr. Jharkhandi UpadhyayPP
For O.P. No.2	:	Mr. Sheo Kumar, Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 04-11-2025 Heard learned Advocate for the petitioner, learned APP for the State and learned Advocate for O.P. No.2.

2. The petitioner who happens to be husband of O.P. No.2, is apprehending his arrest in connection with Complaint Case No.363 of 2024, wherein cognizance has been taken for the offences punishable under Sections 147, 323, 341, 307, 498A, 313, 504, 506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Learned Advocate for the petitioner contended that the *bonafide* of the petitioner is writ large that he has always



been ready to keep O.P. No.2 as his wife with full honour and dignity and for the said purpose the petitioner has also filed Matrimonial Case No.169 of 2024 under Section 281 of Muslim Law for restitution of conjugal rights. He further contended that admittedly the dispute arose on account of matrimonial discord between husband and wife and in order to give financial assistance, the petitioner is ready to pay Rs.2500/- per month as maintenance in the bank account of O.P. No.2 till the order is passed by a competent court. The petitioner bears no criminal antecedent.

4. Learned Advocate for O.P. No.2 has opposed the prayer for bail; however, he submitted that despite best efforts of O.P. No.2, the petitioner did not mend his ways, which is coming in the way for final settlement.

5. Having considered the submissions advanced by the learned Advocate for the respective parties and considering the fact that the dispute arose on account of a matrimonial discord, besides the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned S.D.J.M., Nawada in connection with Complaint Case No.363 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions:-

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) The petitioner shall deposit Rs.2500/- in the bank account of O.P. No.2 on the last week of every month. The payment shall be started from the month of November, 2025.

(Harish Kumar, J)

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