

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43107 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- MANIGACHI District- Darbhanga

Md. Mustak Son of Md. Atabul Resident of Village - Tatuvar, P.S.-
Manigachhi, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tabassum Khatoon Wife of Md. Mustak Daughter of Md. Aziz @ Md. Ajij,
Resident of Village - Tatuvar, P.S.- Manigachhi, District - Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 13, Adv.

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Manigachhi P.S. Case No. 15 of 2025 dated 07.02.2025,
registered for the offence punishable under Sections 341, 323,
498A, 504 and 506/34 of the Indian Penal Code.

3. Earlier, notice was issued to opposite party no. 2
which has validly been served but nobody appears on her
behalf.

4. The prosecution case, in short, is that the marriage
of informant was solemnized with accused petitioner Md.
Mustak on 02-07-2023 with Islamic customs and ritual. After



marriage, the informant went to her matrimonial house where she stayed there in good condition. It is further alleged that after some time of marriage accused persons including the petitioner demanded cash of Rs.5,00,000/- and an Apachi Motorcycle and on non-fulfillment of the same they abused, assaulted and tortured her by various ways.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the informant/opposite party no. 2 is the second wife of the petitioner and both are resident of same village and well known to each other prior to the marriage. It is submitted that despite the service of notice in the present case, the informant did not choose to appear before this Court. The allegation of demand of dowry is totally false and concocted. It is evident from the prosecution case that informant solemnized marriage with the petitioner only to grab his property and when she could not succeed in it, she left her matrimonial home on her own sweet will. Subsequently, she filed this present case. Lastly, it has been submitted that he has no criminal antecedent.

6. Learned A.P.P. has opposed the prayer for bail of the petitioner.

7. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Manigachhi P.S. Case No. 15 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Darbhanga, subject to condition as laid down under Section 482(2) of B.N.S.S..

(Khatim Reza, J)

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