

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54316 of 2025

Arising Out of PS. Case No.-971 Year-2024 Thana- ALAMGANJ District- Patna

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Anwarul Haque S/O Ainul Haque R/O Village- Terehe Ki Masjid, Dargah Road, P.S- Sultanganj, Distt. - Patna. At present R/O Village- Jagdishpur, P.S- Tatarpur, Distt.- Bhagalpur(Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sana Mustaq W/O Anwarul Haque, D/O Marhum Mustaque Ahmad @ Mustaque Ahmad R/O Village- White House, Alamganj Ghera Near Ghera Masjid, P.S- Alamganj, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 14-10-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State. No one appears on behalf of the O.P. No.2.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 85, 351(3) of the B.N.S. & Sections 3, 4 of the D.P. Act.
3. Learned counsel for the petitioner submits that the case was taken up on 13.10.2025, when on the said date also no one had appeared on behalf of the O.P. No.2, which amply demonstrates that the learned counsel has lost the interest in the case. It is next submitted that dispute is matrimonial and petitioner being husband has been falsely implicated in the instant case by the informant. It is next submitted that from



perusal of the allegation, as alleged in the FIR, it would manifest that allegation of demand of dowry and torture is general and omnibus in nature. It is further submitted that police during the course of investigation had given the benefit of Section 35 BNSS to the petitioner and the petitioner during the course of investigation cooperated with the police. It is further submitted that when police during the course of investigation never felt the need of arresting the petitioner whether it would be prudent for the court to send the petitioner to jail based on the fact that charge sheet came to be submitted, based on which, cognizance has been taken. It is also submitted that a specific pleading has been made at Para-7 of the anticipatory bail application that petitioner is willing to keep the O.P. No.2 with honour and dignity but then it appears that O.P. No.2 is not interested in pursuing the case.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below 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 Alamganj P.S. Case No.971/2024, subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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