

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73440 of 2024

Arising Out of PS. Case No.-5445 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Arman Son of Md. Khurshid Alam Resident of Village - Sahar, Police
Station - Sahar, District - Bhojpur

... .. Petitioner

Versus

1. The State of Bihar
2. Apsana Khatoon Wife of Md. Arman, D/o. Md. Rashid At present residing
at Village- C/O Jawed Akhatar, Mohalla - Dargi Tola, Police Station -
Pirbahor, District - Patna

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr.Uday Kumar, Advocate
For the Opposite Party/s :	Mr.Md. Iftekhar Mahmood, A.P.P.
	Mr. Arun Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 04-09-2025 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. Petitioner, who is husband of opposite party no.2,
apprehends arrest in a case registered for the offence punishable
under sections 498A/34 of the Indian Penal Code and section 4
of the Dowry Prohibition Act.

3. Prosecution case in brief is that opposite party no.2
was married with the petitioner in 2017. After birth of girl child,
this petitioner along with other accused persons used to assault
and torture her. Lastly, accused persons ousted opposite party
no.2 from her matrimonial house.

4. Learned counsel appearing for the petitioner, while



denying the allegations, submits that the petitioner is innocent and has falsely been implicated in this case because he happens to be husband of opposite party no.2.

5. Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Center of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed (Report kept at flag 'M').

6. Learned counsel for the State as well as opposite party no.2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner, being husband of opposite party no.2, in connivance with his family members, subjected her to harassment and cruelty for non-fulfillment of demand of dowry and also ousted her to her parents' house. It is further submitted that she has a girl child and has no means of livelihood and is on the verge of starvation. Learned counsel further submits that the petitioner is not paying interim maintenance of Rs.5000/- per month to opposite party no.2 and Rs. 2000/- per month to her daughter inspite of order of the court below, passed in Domestic Violence Case No. 92 of 2023 (annexure A to the counter affidavit).

7. Since, there is allegation against the petitioner that



he subjected opposite party no.2 to torture and meted out cruelty and harassment, ousted her from the house and he is also not paying interim maintenance, as ordered by the court below, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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