

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88167 of 2024

Arising Out of PS. Case No.-150 Year-2021 Thana- COMPLAINT CASE District-
Kishanganj

=====

Choudhary Molana Gulam Sarwar @ Choudhary Gulam Sarwar Son of
Choudhary Rahimuddin Resident of Village - Jabra Pokhar, P.S. - Pothia,
District - Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shagufata Begum Daughter of Sedul, Wife of Choudhary Mola Gulam Sarwar @ Choudhary Gulam Sarwar Resident of Village - Gunjaria, P.S. - Islampur, District - Uttar Dinajpur (W.B.)

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh, APP
For the O.P. No.2	:	Md. Hussain, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 14-08-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in connection
with Complaint Case no.150 of 2021 registered under sections
498A, 323, 341, 379 and 34 of the Indian Penal Code and
Section 3/4 of the D.P. Act.

3. The case is one under Section 498A and petitioner
is the husband. The allegation against the petitioner is of
demand of dowry and torture.

4. Learned counsel for the petitioner submits that
earlier the matter had been sent to the Patna High Court



Mediation Centre vide order dated 08.05.2025 but the mediation process has failed. Learned counsel for the petitioner further submits that the allegation of demand of dowry and torture is false and concocted. The petitioner is always ready to keep his wife with full dignity and honour but it is the opposite party no.2 who never wants to live with the petitioner. The petitioner has no criminal antecedent and undertakes to co-operate in case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 3,500/- to his wife in the second week of every month for her basic requirements. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

7. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no.150 of 2021 on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

8. If the opposite party no. 2 furnishes the Bank account in which the amount can be transferred and yet the petitioner fails to make the aforesaid payment of Rs. 3,500/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

Harsh/-

U		T	
---	--	---	--

