

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10475 of 2026**

Arising Out of PS. Case No.-583 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Minnat Ali S/o Shekh Akbar @ Md. Akbar R/o -Tarbanna Jagaili, P.S - K
Nagar, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nujhat Praveen W/o Md. Minat Ali, R/o Tarbanni Jagaili, P.s.- K. Nagar, (Sri Nagar), Distt.- Purnea, At present R/o C/o Father Sheikh Eijul, Vill- Paharpur, P.S.- Amdabad, Distt.- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP
For the O.P. No. 2	:	Md. Musowir, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-03-2026 1. Heard learned counsel for the petitioner, learned

APP for the State and the learned counsel appearing on behalf of

the O.P. No. 2.
2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 498A of the

Indian Penal Code read with Section 4 of the Dowry Prohibition

Act.
3. The learned counsel for the petitioner submits that

petitioner is a person with clean antecedent and the complainant

alleges that she was married to the petitioner on 08.04.2015 and

out of the wedlock a male child was born who subsequently



died, thereafter a girl child was born, thereafter behaviour of accused persons including the petitioner changed and they started demanding dowry of Rs. 3 Lakhs and the petitioner performed his second marriage in February, 2020 and on objection, complainant was tortured and finally was ousted from her matrimonial house.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the complainant. It is next submitted that the complainant was suffering from blood cancer prior to marriage and the petitioner got her treated, which amply demonstrates that love of the petitioner for the complainant. It is next submitted that petitioner works as an AC mechanic outside the State of Bihar. It is next submitted that the complainant did not intend to stay with the petitioner where he works and wanted him to join her at her parental home to which the petitioner was not ready. It is further submitted that petitioner being husband is aware of his responsibility towards the complainant and the child. It is also submitted that presently the relationship has soured to an extent where it is not possible to revive the conjugal relationship, but in future on intervention of well wishers, the parties may resolve their dispute amicably.



5. Learned counsel appearing on behalf of the petitioner, based on instruction, submits that petitioner is willing to pay a monthly maintenance of Rs. 4,000/- to the O. P. No. 2.

6. Learned counsel appearing on behalf of the O.P. No. 2 submits that though petitioner has agreed to pay the maintenance of Rs. 4,000/- to the O.P. No. 2, but then it might be a ploy for seeking anticipatory bail, on which the learned counsel appearing on behalf of the petitioner submits that in the event if anticipatory bail is granted and the petitioner breaches the condition of maintenance as agreed in that event the anticipatory bail would be liable to be cancelled, on which the learned counsel appearing on behalf of the O.P. No. 2 submits that sine petitioner is undertaking to pay a monthly maintenance to the O.P. No. 2, as such, no useful purpose would be served by sending the petitioner to jail, as chances of future reconciliation will also get marred.

7. The learned counsel for the OP No. 2 submits that he will *WhatsApp* the bank account number of the OP No. 2 on the *WhatsApp* number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance, as agreed, commences from 01.04.2026.



8. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Complaint Case No. 583 of 2022 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, in the event if the petitioner does not deposit the monthly maintenance as agreed for two consecutive months.

10. It is further made clear that the present maintenance shall stop, if a Court of competent jurisdiction fixes the maintenance.

(Satyavrat Verma, J)

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