

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14938 of 2026

Arising Out of PS. Case No.-91 Year-2024 Thana- PALANWA District- East Champaran

Islam Miya S/o- Jauwad Miya Village- Gad Bahuari, P.S.- Palanwa, District-
East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mehrun Khatoon D/o- Late Majid Miyan, W/o- Islam Miya Village- Gad Bahuari, P.S.- Palanwa, District-East Champaran., P/A- Bhogari Ps- Majhauilya Dist- West Champaran, R/o- Nawka Tola Behra Ps- Gopalpur Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s	:	Ms. Sharda Kumari, A.P.P.
For the O.P. No. 2	:	Mr. Sarvesh Kashyap, Mr. Deepak Kumar, Ms. Kumari Aakansha Rai, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-07-2026 Earlier, *vide* order dated 06.05.2026, the matter was referred to the Mediation and Conciliation Centre, Patna High Court, Patna, but as per the Mediator's Report (flag 'M'), the mediation has failed.

2. Heard learned counsel for the parties.

3. The petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 379, 504, 506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

4. As per prosecution case, marriage of informant was solemnized with this petitioner about six to seven years ago.



Thereafter, it is alleged that informant was subjected to torture and cruelty due to non-fulfillment of demand of dowry by the accused persons.

5. Learned counsel for the petitioner, while denying the allegations levelled against him, submits that petitioner, who is husband of the informant, is ready to keep her with honour and safety. Besides this, petitioner is ready to give Rs. 3000/-per month to the informant by way of temporary relief/solace, starting from this month, subject to any order passed in matrimonial, maintenance or connected proceedings.

6. In view of the aforesaid undertaking of learned counsel for the petitioner that petitioner is ready to give Rs. 3000/- per month to the informant by way of temporary relief/solace, starting from this month, this anticipatory bail application is allowed.

7. Let the above-named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Palanwa P. S. Case No. 91 of 2024, subject to the conditions laid



down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita as well as on the following conditions:-

‘(1) Informant would file an affidavit before the court below and bring on record her savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the informant.

(3) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(4) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.’

(Prabhat Kumar Singh, J)

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