

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23205 of 2025

Arising Out of PS. Case No.-587 Year-2022 Thana- COMPLAINT CASE District- Supaul

Md. Akhtar son of Safad Miyan @ Safad Miya village- Amahi, Ps-
Ghoghardiha, dist- Madhubani Petitioner/s

Versus

1. The State of Bihar
2. Sawana Khatoon Wife of Md. Akhtar village- Chhitahi Hanuman Nagar, Ps-
Bhaptiyahi, Dist- Supaul Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhas Ranjan, Adv
For the Opposite Party/s	:	Mr. Harendra Prasad, APP
For the Informant	:	Mr. Pramod Mishra, Adv
	:	Mr. Prasoon Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 05-01-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Complaint Case No. 578C of 2022 registered for the offences punishable under Sections 323, 341, 498(A) and 504 of the Indian Penal Code.

3. The allegation against petitioner is to commit cruelty upon O.P. No. 2 due to non-fulfillment of demand of buffalo as raised for dowry.

4. It is submitted by learned counsel appearing on behalf of the petitioner that out of certain domestic cruelty complainant herself left home of petitioner and in fact by deserting petitioner, she is committing cruelty upon him. In support of his submission learned counsel referred to the S.A. of complainant, where upon Court question she



categorically stated that she is not willing to join matrimonial house. Admittedly complainant is living separately immediately after two months of the marriage.

5. Despite valid service of notice, none appeared on behalf of O.P. No. 2.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as allegation of cruelty prima-facie appears very much general and omnibus against petitioner, where petitioner was deserted by complainant herself immediately after two months of the marriage and, she is also not willing to join matrimonial house, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Supaul/concerned Court, where the case is pending in connection with Complaint Case No. 578C of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.



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(Chandra Shekhar Jha, J.)

