

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18432 of 2025

Arising Out of PS. Case No.-43 Year-2019 Thana- SAHARSA COMPLAINT CASE District-
Saharsa

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Sher Ali Khan S/o- Amirul Khan Resident of village- Fhulwari Naya Tola
Argara Chouk PS- Katihar District-Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nafisa Praween W/o- Sher Ali Khan, D/o- Md. Alim R/o- Saharsa Basti
W.No-31, Ps Dist- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Musowir

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

9 17-02-2026 Heard the learned counsel for the petitioner and the
learned counsel for the State.

2. The petitioner apprehends his arrest in connection
with Katihar C.A. Case No. 43 of 2019 for the offence under
Sections 341, 323, 498A, 379, 308, 120B/34 of the Indian Penal
Code and Section 3/4 of the DP Act.

3. As per the prosecution case, the petitioner and
others are accused of assaulting and torturing the victim for
demand of dowry.

4. It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that the allegation of



demand of dowry and torture against the petitioner is false and concocted.

5. Learned counsel for the State has opposed the application of the petitioner.

6. Considering the submission of the parties and considering the law laid down by the Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar* reported in (2014) 8 SCC 273, this application of grant of anticipatory bail is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Saharsa/concerned Court below in connection with Complaint Case No. 43 of 2019 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS and with further condition that:

(I). The petitioner is directed to pay a maintenance amount of Rs. 7000/- from the month of February 2026 to the complainant/informant and the maintenance for the month of February 2026 shall be paid to the complainant/informant within ten



days from today and thereafter the maintenance amount shall be paid to the informant every month before the 10th day of the month.

8. It is made clear that the order of maintenance passed by this Court shall be subject to the outcome of maintenance case of the Court of Principal Judge, Family Court concerned, if any.

9. Needless to state that, if the petitioner fails to abide by the terms and conditions, as stated hereinabove, the State shall be at liberty to file an appropriate application, before the learned concerned Court below for cancellation of bail granted to the petitioner.

10. Let a copy of this order be communicated to the Principal District & Sessions Judge, Saharsa through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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