

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.27093 of 2026

Arising Out of PS. Case No.-404 Year-2016 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

Md Nazir @ Md. Nazir Khan S/O Late Md. Kalim Khan @ Late Md. Kalim
R/O Village- Balbatra, P.O - Ara, P. S - Ara Town, District - Bhojpur, Ara.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabana Aazmi W/O Md. Nazir @ Md Nazir Khan, D/O Late Ahsan Hussain R/O Village- Bhusaula Danapur, P.O.- Mubarakpur, P.S- Phulwarisharif, Distt.- Patna. At present resident of Bagmalu Kha, P.S- Khajekala, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh, Adv

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-04-2026 Heard the parties.

2. The petitioner is named in the complaint petition and apprehending his arrest in connection with Complaint Case No. 404 of 2016 registered for the offences punishable under Section 498-A of the Indian Penal Code and Sections 3/4 of the DP Act.

3. As per complaint, petitioner being husband along with his family members/parents committed mental and physical cruelty upon complainant due to non-fulfillment of demand of dowry as raised for one motorcycle and cash of Rs. 1 lakh.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the complaint dated 18.05.2016



filed by complainant is supported through affidavit, where it has been stated that the complainant was ousted from her matrimonial home on 25.07.2015 by all accused persons without specifying name of this petitioner after keeping all her gold and silver jewelries. It is submitted that since then, she is living in her parental home and just to cover the delay, it was alleged that this petitioner being husband visited parental house on 16.05.2016 and repeated demand *qua* dowry. In fact complainant left her matrimonial home on her own, living with her parents, leaving minor son with petitioner.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of general and omnibus allegation *qua* committing mental and physical cruelty against petitioner in terms of para 8 of the complaint, on the day complainant was ousted from her matrimonial home, 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 S.D.J.M. Patna City/concerned Court, where the case is pending in connection with Complaint Case No. 404 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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