IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26634 of 2026

CNR No. BRHC010377122026

Arising Out of PS. Case No.-1380 Year-2024 Thana- COMPLAINT CASE District- Araria

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Md. Shakir S/O Haji Nabiruddin Resident Of Village- Pachaili, Ward No. 5 Police Station- Palasi, District- Araria

... ... Petitioner/s

Versus

1. The State of Bihar Patna
2. Bibi Ruhi Naaz @ Ruhi D/O Md. Wajiuddin Resident of Village- Pachaili, Ward No. 7, Police Station- Palasi, District- Araria

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

4 19-11-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Complaint Case No.1380C of 2024, dated 22.07.2024 registered for the offences punishable under Sections 85 and 115(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, The complainant alleged that her marriage was solemnized with accused Md. Shakir in 2012, and two children were born out of the wedlock. She stated that although gifts worth Rs. 2 lakh were given at the time of marriage, her husband and in-laws subsequently demanded Rs. 2 lakh and 10 kathas of land as dowry. Upon non-fulfillment of the demand, she was subjected to physical and mental torture and, on 09.07.2024, was allegedly assaulted,

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dispossessed of her ornaments and driven out of her matrimonial home along with her children.

4. Learned counsel for the petitioner, by referring to the mediation report dated 13.11.2026, submits that despite the best efforts made by the Mediator, the issues could not be resolved. However, the petitioner is ready to provide financial assistance towards the maintenance of O.P. No. 2 as well as the child born out of the said wedlock. It has also been submitted that a maintenance case is already pending and that whatever amount which may be fixed in the said maintenance case, shall over and above the amount proposed by the petitioner towards the maintenance of O.P. No. 2 in this case. Accordingly, it has been proposed that the petitioner would pay a sum of Rs. 5,000/- on a monthly basis until the issues are finally resolved by the Court of competent jurisdiction.

5. Learned APP for the State opposes the prayer for anticipatory bail application. However, the learned counsel for the O.P. No.2 accepts the said proposal.

6. Considering the aforesaid facts and circumstances, and taking note of the fact that despite their best efforts, the issues could not be resolved, and that the petitioner is ready to maintain O.P. No. 2 with financial assistance as is referred

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above, this Court is inclined to grant the privilege of anticipatory bail to the petitioner with a direction that the proposed amount towards the maintenance of O.P. No. 2 and their child shall be paid on a monthly basis, on the date fixed for the same, which the Court concerned shall fix the date of disbursement of the amount in question.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate, First Class, Araria, in connection with Complaint Case No.1380C of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail

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cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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