

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27241 of 2026

Arising Out of PS. Case No.-411 Year-2023 Thana- COMPLAINT CASE - SHERGHATI
District- Gaya

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Mohammad Reyaz @ Golden S/o- Md. Rizwan Resident Of Village- Mohali
Dih Tand, Po- Bhuli, Ps- Tetulmari, Dist-Dhanbad

... .. Petitioner

Versus

1. The State of Bihar
2. Pammi Parveen D/o- Late Md. Hasin R/v- Gajragarh Po Ps- Barachatti Dist-
Gaya

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the complaint, is apprehending his arrest in connection with Complaint Case No. 411 of 2023 registered for the offences punishable under Sections 448, 323, 498A, 389 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per complaint, petitioner alongwith family members alleged to commit mental and physical cruelty upon the complainant due to non-fulfillment of additional demand of dowry as raised for cash of Rs. 2 Lakhs.

4. Learned counsel appearing on behalf of the petitioner submitted that allegation as raised through complaint cannot be



legally viewed as same not appears supported by affidavit in view of the legal report of Hon'ble Supreme Court as available through **Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]**.

5. During course of argument, learned counsel drawn attention of this Court towards para 5 of the complaint petition where on 13.04.2023 the complainant was ousted from her matrimonial home by the accused/petitioner, where allegation of assault and demanding dowry appears very much general and omnibus in nature including this petitioner. Same is also regarding occurrence dated 15.06.2023 which alleged to be taken place in matrimonial home of the complainant. Petitioner claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as allegation *qua* raising demand of dowry, assault and committing cruelty appearing very much general and omnibus against the petitioner being husband, coupled with the fact that complaint in issue also not appears supported by affidavit, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing



of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned J.M. -1st Class, Sherghati, Gaya/concerned court in connection with Complaint Case No. 411 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

8. Learned trial court is directed to explore the possibility of compromise, if any, between the parties during the trial.

(Chandra Shekhar Jha, J)

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