

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28840 of 2025

Arising Out of PS. Case No.-144 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

MD. NASEEM S/o Late Kari Resident of Village- Nadiyami, Police Station-
Kusheshwar Asthan, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hasmul Khatoon W/o Md. Naseem R/o vill - Nadiyami, P.s.- Kusheshwar Asthan, Distt.- Darbhanga, Present Address- Hasmul Khatoon, D/o Md. Yunus, R/o vill - Gora, P.S. - Kusheshwar Asthan, Distt.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nilendu Kumar Choudhary
For the Opposite Party/state	:	Mr.Sanjay Kumar
For the Opposite Party-2	:	None

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 11-05-2026 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case bearing (C.R.) No. 144 of 2023 corresponding to T.R. No. 209 of 2023 registered for the offence punishable under Section 147 / 323 / 341 / 379 / 498(A) / 504 of the I.P.C., Section 3/4 of the Dowry Prohibition Act but cognizance has been taken against the petitioner for offence under Section 323 / 498(A) / 34 of the I.P.C.

3. The prosecution case as per the complaint petition is that the marriage of the complainant was solemnized with the



petitioner according to Muslim rites and rituals on 16.06.2016 and it is alleged that the petitioner and his family members demanded a motorcycle and one lakh rupees as dowry and due to non fulfillment of the said demand, the petitioner and other family members tortured the complainant-Opposite Party No. 2 both physically as well as mentally and finally ousted the Opposite Party No. 2 from her matrimonial home.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. He further submits that the complainant being a quarrelsome lady always pressurized the petitioner to desert his family and stay separately but when the petitioner does not become ready she herself deserted the husband with all her belongings and went to her parental home. He next submits that from perusal of the entire complaint case it would be evident that general and omnibus allegation has been made against the petitioner and his family members that they assaulted, tortured and ousted the complainant from her matrimonial home.

5. No one appears for the complainant-Opposite Party No. 2 despite valid service of notice.

6. Regard being had to the submission made by the



petitioner and taking into consideration the fact that there is general and omnibus allegation against all the family members and the petitioner is the husband of the complainant- Opposite Party No. 2 , accordingly, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his arrest / surrender before the learned court below within a period of six weeks from today be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Pappu Kumar Pandit, learned J.M.-1st Class, Biraul, Darbhanga in connection with Complaint Case bearing C.R. No. 144 of 2023 corresponding to T.R. No. 209 of 2023 subject to the condition as laid down under Section 482(2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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