

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33239 of 2026

Arising Out of PS. Case No.-903 Year-2021 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Sabir, S/o Md. Rayees, Resident of Village- Ustu, P.S- Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Asma, W/O Md. Sabir, R/o Village- Ustu, P.S.- Lodipur, Dist.- Bhagalpur. At present D/o Md. Nasim, R/O Village- Sanhauli, P.S.- Jagdishpur, Distt.- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-07-2026

Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 903 of 2021 instituted for the offences punishable under sections 147, 148, 149, 323, 341, 325 and 498A of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.

3. Learned counsel appearing for the petitioner submits that the petitioner happens to be the husband of the O.P. No. 2 and the main allegation levelled against him by the O.P. No. 2 pertains to the offence under section 498A of the IPC and the case of the O.P. No. 2 is based on a complaint and the marriage of the petitioner with the O.P. No. 2 took place in the year 2020. In fact, the O.P. No. 2 had eloped with one Jajloo @



Ashik and later got married with him and thereafter, the petitioner, having no option, solemnized his second marriage and further, the allegation of cruelty was made by the O.P. No. 2 after three years of the marriage, which is not believable. It is lastly submitted that the O.P. No. 2 has chosen not to appear in this bail matter to oppose the petitioner's prayer despite being personally served with notice.

4. Learned APP for the State opposes the prayer of the petitioner.

5. Considering the above submissions, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Complaint Case No. 903 of 2021, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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