

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32986 of 2026

Arising Out of PS. Case No.-93 Year-2025 Thana- FALKA District- Katihar

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Md. Dilsher S/o Md. Nayeem Resident of Rangapura, Ward no. 9, P.S.
-Mirganj, Dist. - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabana Khatoon D/o Md. Shakil R/o Village - Kajha, P.S. - K. Nagar, Dist.
- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Falka P.S. Case No. 93 of 2025 lodged on 08.08.2025, for the offence punishable under Sections 126(2), 127(2), 115(2), 85, 318(4), 352, & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 3 & 4 of the Dowry Prohibition Act, 1961.

3. As per the prosecution, FIR has been lodged against nine named accused persons including the present petitioner. It has been alleged by the petitioner's mother in law that the accused persons including the petitioner have tortured her daughter in the name of dowry. The accused persons have also solemnized the second marriage of the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that there are two cases filed against the petitioner, i.e. one case has been filed by the petitioner's wife and another case has been filed by the petitioner's mother in law (the present case). He submits that the petitioner is on bail in the case which has been filed by the petitioner's wife and in the present case which has been filed by the petitioner's mother in law, he is persuading for bail. He further submits that the petitioner is ready to keep his wife (opposite party no.2) with full dignity and respect.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case considering that the petitioner is ready to keep his wife (opposite party no.2) with full dignity and respect, let the above named petitioner be released on **provisional bail**, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Sub-Divisional Judicial Magistrate, Katihar, in connection with Falka P.S. Case No. 93 of 2025, subject to the conditions as laid down U/s 482(2) of the



B.N.S.S., 2023.

7. The concerned trial court is directed to conduct mediation between the petitioner and the opposite party no.2 and if, the report of the mediator suggests that the matrimonial harmony has been substantially restored between the parties, the provisional bail granted to the petitioner shall be confirmed. The provisional bail of the petitioner shall also be confirmed in the event, if the opposite party no.2 fails to appear before the concerned trial court, or if the opposite party no.2 gets reluctant to reconcile the issue. The process of the mediation shall be concluded within 90 days from the date of appearance of the informant's daughter (opposite party no.2).

8. Accordingly, this bail application stands disposed off.

(Dr. Anshuman, J)

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