

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42203 of 2026

Arising Out of PS. Case No.-1753 Year-2024 Thana- PHULWARISHARIF District- Patna

Mohammad Meraj Hussain @ Md. Miraj Hussain @ Md. Meraj S/o Md. Riyazul Haque @ Mohammad Riyazul Ahmad Resident of Gulesthan Mohalla, P.s.- Phulwari Sharif, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Masoom Alam

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Phulwari Sharif P.S. Case No. 1753/2024 registered for the offences punishable under Sections 126(2), 115(2), 85, 352, 351(2), 351(3) and 3(5) of the BNS and Section 3/4 of the DP Act.

3. The allegation against petitioner is to commit mental and physical cruelty upon informant and also to made an attempt to strangle her with an intention to kill.

4. It is submitted by learned counsel appearing on behalf of the petitioner that informant herself made an application before Phulwari Sharif, Patna (annexure-3) for dissolution of her marriage with petitioner by way of "*khulla*". It is submitted that allegation of pressing neck is just to aggravate



the allegation as nothing happened like so, and merely on the basis of suspicion as petitioner found indulged in talking over mobile phone with some another girl, present false case was lodged. It is submitted that allegation of dowry demand not appears available against this petitioner. Petitioner claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as annexure-3, prima-facie suggest that the informant herself pressed petition for dissolution of marriage with petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Patna/concerned Court, where the case is pending in connection with Phulwari Sharif P.S. Case No. 1753/2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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