

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35819 of 2025

Arising Out of PS. Case No.-56 Year-2024 Thana- GHURNA District- Araria

Kaushar Aziz @ Kaushar Azam S/o Abdul Aziz Resident of Village- Babuan,
Ward No. 12, Police Station- Ghurna, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikhat Praveen Kaushar Alam Resident of Village- Babuan, Ward No. 12,
Police Station- Ghurna, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 21-01-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Ghurna P.S. Case No. 56 of 2024 registered for the offences punishable under Sections 108, 89, 61(2) and 85 of the BNS and Section 3/4 of the D.P. Act.

3. The allegation against petitioner is to commit mental and physical cruelty upon informant, who is the wife of petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that allegation *qua* mental and physical cruelty appears very much general and omnibus against this petitioner. It is pointed out that petitioner was alleged to desirous for solemnizing second marriage, but same appears to be raised merely on the basis of suspicion without having any cogent materials. It is submitted that even as per his personal law,



petitioner being Muslim can solemnize second marriage subsisting his first marriage. While concluding arguments, it is submitted that above named petitioner is a man of clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that allegation is specifically available against this petitioner being husband.

6. In view of aforesaid factual submission and by taking note of fact as allegation *qua* mental and physical cruelty appears very much general and omnibus in nature, accordingly petitioner above-named, in the event of his arrest or surrender before the trial court 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 C.J.M., Araria/concerned Court, where the case is pending in connection with Ghurna P.S. Case No. 56 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

