

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38259 of 2026

Arising Out of PS. Case No.-1578 Year-2024 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Ono Mohammad S/o Gulam Ashraf @ Mohammad Asif R/o Village-
Sadarganj, ward no. 9, Nagar Parishad, P.S- Dalsinghsarai, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rehana Parveen D/o Md. Abul Hasan R/o vill - Khajuri Chowk, ward no. 9,
(Nadi Kinarey), Khetapur, P.S.- Sarairanjan, Distt.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 1578 of 2024 registered for the
offence under Section 85 of the B.N.S.

3. As per the prosecution case, the petitioner is the
husband of the complainant. He is said to have tortured and
throw away his wife for demand of dowry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The petitioner bears clean antecedent having a daughter,
who is with his wife.



5. Learned APP for the State has opposed the application of the petitioner.

6. Considering the submission of the parties and in light of the law laid down by the Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. The State of Bihar* reported in **(2014) 8 SCC 273**, this application for grant of anticipatory bail is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 1578 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and with further condition that:

(i). The petitioner is directed to pay a maintenance amount of Rs.6,000/- from the month of June 2026 to the complainant/informant. The maintenance for the month of June 2026 shall be paid to the complainant/informant within ten days from today, and thereafter, the maintenance amount shall be paid to the complainant/informant every month before the 10th day of each month.



8. It is made clear that the order of maintenance passed by this Court shall be subject to the outcome of the maintenance case in the Court of learned Principal Judge, Family Court concerned, if any.

9. Needless to state that, if the petitioner fails to abide by the terms and conditions, as stated hereinabove, the State shall be at liberty to file an appropriate application before the learned concerned Court below for cancellation of bail granted to the petitioner.

10. Let a copy of this order be communicated to the learned Principal District & Sessions Judge, Samastipur through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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