IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39846 of 2026

CNR No. BRHC010573322026

Arising Out of PS. Case No.-783 Year-2024 Thana- SAHARSA COMPLAINT CASE District- Saharsa

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Md. Mujahidul Islam @ Mohammad Muzahidul Islam S/o Late Mohammad Rafiul Hoda Resident of Village - Satsang Mandir Road, Gandhi Path, Ward No.- 8, P.S.- Saharsa, District - Saharsa

... ... Petitioner/s

Versus

1. The State of Bihar
2. Rasda Praveen W/o Md. Mujahidul Islam @ Mohammad Muzahidul Islam Presently Residing at Khamhauti, Ward No.- 2, P.S.- Bakhtiyarpur, District - Saharsa and Permanent Address - Gandhipath, Satsang mandir Road, West of Surya Hospital, Gandhipath, P.S.- Saharsa, District - Saharsa

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashank Chandra, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P
For the O.P. No.2 : Mr. Pawan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 29-10-2026 Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed.

2. Heard Mr. Shashank Chandra, learned counsel for the petitioner, learned A.P.P. for the State and Mr. Pawan Kumar, learned counsel for the opposite party no. 2.

3. The petitioner, who is husband of opposite party no. 2, apprehends his arrest in a complaint case punishable for the offences under Sections 85, 115, 352, 351(2), 75, 303(2),

305(A), 88, 89 of BNS and section 4 of D.P. Act.

4. Petitioner is alleged to have committed torture and harassment with opposite party no. 2 for dowry.

5. Learned counsel for the petitioner submits that petitioner denies the allegation made in the complaint petition and submits that he never committed torture to opposite party no. 2 or demanded any dowry. Petitioner is ready to keep opposite party no.2 with full honour and dignity. Besides this, the petitioner undertakes to give Rs. 3,000/-per month by way of temporary relief/solace, starting from this month, to the opposite party no.2.

6. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (Rupees three thousand) per month*** to the opposite party no. 2, in the event of arrest/surrender within a period of eight weeks from today, let the above-named petitioner be enlarged on bail on furnishing bail bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Saharsa, in connection with Saharsa Complaint Case No. 783(C) of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482 of the B.N.S.S. as well as on the following

conditions:-

"(1) Opposite party no. 2 would file an affidavit before the court below and bring on record her savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid amount per month in the savings bank account of the opposite party no. 2.

(3) In case, the petitioner fails to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(4) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise."

(Prabhat Kumar Singh, J)

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