

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58218 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- MAHILA PS District- Darbhanga

Md. Afzal S/O Md. Najrul @ Najir Alam R/O Vill.- Parora, Ward No.-8, P.S.-
Chhorahi (Khodawandpur), Dist.- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajda Khatoon W/O Md. Afzal, D/O Md. Shamim Ejaj R/O Vill.- Parora,
Ward No.-8, P.S.- Chhorahi (Khodawandpur), Dist.- Begusarai At Present
Residing at Vill.- Laxminiya, P.S.- Kusheshwar Asthan, Dist.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shishir Kumar Shishir, Advocate Mr. Binod Kumar Sinha, Advocate Dr. S Prasad Yadav, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 23-02-2026 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 119 of 2024 registered for the offence
under Sections 85, 126(2), 303(2), 351(2), 115(2) and 3(5) of
the Bharatiya Nyaya Sanhita, 2023 and Section 3/4 of the DP Act.

3. As per the prosecution case, the petitioner and
others are accused of assaulting and torturing the victim for
demand of dowry.

4. It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent and he has falsely been



implicated in this case. The petitioner is the husband of the informant.

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. 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) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Darbhanga/concerned Court below in connection with Mahila P.S. Case No. 119 of 2024 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS and with further condition that:

(I). The petitioner is directed to pay a maintenance amount of Rs. 6000/- from the month of February 2026 to the complainant/informant. The maintenance for the month of February 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 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 Principal District & Sessions Judge, Darbhanga through FAX for its compliance forthwith.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

