

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.64693 of 2025

Arising Out of PS. Case No.-2817 Year-2023 Thana- VAISALI COMPLAINT CASE
District- Vaishali

Md. Firoz S/O Md Kasim R/O Village- Nabiganj, P.S.- Bhagwan Bazar,
District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Najda Khatun W/O Md Firoz, D/O Arshad Husain R/O Village- Agarpur,
P.O- chaksaleh (Ataullahpur), P.S- Lalganj, Distt- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha
For the State : Ms.Renu Kumari
For the O. P. No. 2 : Mr. Vasant Vikas

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 24-02-2026 1. Heard learned Counsel for the petitioner, learned Counsel
for the complainant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.
2. The petitioner apprehends his arrest in connection with
Complaint Case No. 2817 of 2023, in which cognizance
has been taken by the learned District Court for the
offences punishable under Section 498-A of the Indian
Penal Code.
3. The prosecution case, as per the complaint petition, is that
the marriage of the Opposite Party No. 2 was solemnized
with the petitioner on 21.05.2023 and after sometime, the



petitioner and other family members started demanding motorcycle, ornaments and Cash Rs. 2,00,000/- by way of dowry and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 2 physically as well as mentally and also ousted the Opposite Party No. 2 from her matrimonial home.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending and/or decided between the parties. He further agrees to pay the arrears of maintenance fixed by the learned Family Court.
5. Learned Counsel for the informant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that in Matrimonial Case No. 277



of 2023, the learned District Court has ordered for maintenance in favour of Opposite Party No. 2 at the rate of Rs. 5,000/- per month on 04.05.2024, but the petitioner has not complied the order of the learned District Court and has not paid a single penny to the Opposite Party No. 2. till date. The Opposite Party No. 2 is on the verge of starvation.

6. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Complaint Case No. 2817 of 2023.



9. This is subject to the condition that the petitioner shall pay a sum of Rs. 1,40,000/- as arrears of maintenance amount to the Opposite Party No. 2 and shall file receipt showing payment of Rs. 1,40,000/- to the Opposite Party No. 2 at the time of furnishing bail bond. The petitioner shall deposit a sum of Rs. 5,000/- per month, as current amount of maintenance, in the bank account of Opposite Party No. 2 positively, starting from 07th April, 2026.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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