

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68831 of 2024

Arising Out of PS. Case No.-957 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Amiruddin Son of Nisarul R/o Village- Gopipatti, Ward No-1, P.O.-
Anandpur, P.S.- Pataur, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajina Nadaf Wife of Amiruddin R/o Village- Gopipatti, Ward No-1, P.O.-
Anandpur, P.S.- Pataur, District- Darbhanga presently resided at daughter of
Sakur Nadaf Resident of Vill- Bellam, P.O- Reyan Factory, P.S.- Sakari,
District- Madhubani, Pin Code- 847238

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti
For the Opposite Party/s	:	Mr. Abhay Kumar
For the O.P. No. 2	:	Mr. Shailendra Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 03-02-2026 Heard the parties.

2. The petitioner is named in the complaint and apprehending his arrest in connection with C.A. Case No. 957 C of 2022 registered for the offences punishable under Sections 323, 341, 379 and 498-A of the Indian Penal Code.

3. As per complaint, petitioner alleged to commit mental and physical cruelty upon complainant due to non-fulfillment of demand of dowry, as raised for cash of Rs. 2 lakhs and one motorcycle.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that complaint in issue was raised on the basis of false and fabricated allegation and therefore same not appears supported through affidavit. It is pointed out that non-supporting of complaint on affidavit is a clear violation of legal ratio as established through **Priyanka Srivastava and Another Vs. State of Uttar Pradesh and Others, [(2015) 6 SCC 287]**.

Arguing further it is submitted that allegation *qua* mental and physical cruelty appears very much general and omnibus in nature against this petitioner. While concluding the argument it is submitted that 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 petitioner being husband actively participated in the occurrence.

6. In view of aforesaid factual and legal 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 court below 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 S.D.J.M. Madhubani/concerned Court, where the case is pending in connection with C.A. Case No. 957 C



of 2022 , 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/-

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