

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66519 of 2025

Arising Out of PS. Case No.-1010 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Istiyak @ Md. Isteyak S/o Md. Abujar R/o Village - Harishpur, P.S -
Kodha, District - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashlahun Nisha W/o Md. Istiyak D/o Md. Saidur Rehman, R/o Village -
Kaliganj, P.S - Manihari, District - Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Balkrishna Mishra, Advocate
For the O.P. No. 2	:	Mr. Raghvendra kr. Singh, Advocate
For the Opposite Party/s	:	Ms. Shaheen Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 25-02-2026 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 Katihar Complaint Case No. 1010 of 2022,

registered for the offences punishable under Sections 498-A

of the Indian Penal Code and Sections 3/4 of the Dowry

Prohibition Act.

3. The prosecution case, in brief is that the

complainant was married to the petitioner, Isteyak, on



04.07.2018 according to Muslim customs. After about one year of peaceful marital life, she was harassed for dowry and started demanding of Rs. 5 lakhs. Upon her inability to fulfill the demand, she was assaulted, sustained injury to her eye, driven out of her matrimonial home, and was subjected to an attempt to set her on fire along with threats to meet the unlawful demand.

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. 3,000/- 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.

5. Learned Counsel for the complainant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that O.P. No. 2 is at the verge of starvation and the petitioner may be directed to deposit



the said amount of Rs. 3,000/- per month in the bank account of the complainant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner within ten days from today.

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 Sub Divisional Judicial Magistrate, Katihar, in connection with Katihar Complaint Case No. 1010 of 2022, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following condition:-



(i) that the petitioner shall deposit a sum of Rs. 3,000/- per month in bank account of the Opposite Party No. 2 positively by the 7th day of every month starting from the month of March, 2026.

(Anil Kumar Sinha, J)

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