

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71223 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- COMPLAINT CASE - SIKRAHANA
District- East Champaran

Md Ali Akhtar @ Ali Akhtar S/o Kifayat Miyan Resident of village -
Bikrampur, P.S- Dhaka, District- East champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahnaz Khatoon W/O Md. Ali Akhtar, D/O Molajim Resident of village -
Serawna, P.S- Dhaka, District- East champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Mr. Shahid Jawed, Advocate Mr. Rananjay Kumar, Advocate
For the Informant	:	Mr. Vinod Kumar Seth, Advocate
For the State	:	Mr. Kanhiya Kishor, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 09-04-2026 Heard learned counsel for the parties concerned.

2. The petitioner apprehends his arrest in connection with Trial No. 4684 of 2025, arising out of Complaint Case No. (C-290) of 2024, registered for the offences punishable under Sections 86, 118(1), 115(2), 352, 351(3), 109 of B.N.S. and $\frac{3}{4}$ of Dowry Prohibition Act, wherein learned Magistrate took cognizance under Sections 85, 115(2) and 126(2) of B.N.S. and $\frac{3}{4}$ of Dowry Prohibition Act.

3. The prosecution case, in brief, is that the marriage of the complainant was solemnized with petitioner on 14.04.2021 as per Muslim rites and rituals. After the marriage, all the accused persons started demanding motorcycle, washing machine, and Rs. 3,00,000 (three lakh) as dowry. Due to non-fulfillment of the said demand, accused persons started committing cruelty and torture



with the complainant and even attempted to burn her. Despite efforts by her parents to resolve the matter, the situation did not improve. Finally, on 27.06.2024, the accused persons assaulted her and ousted her 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.

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. 5,000/- 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, Sikrahana at Dhaka, East Champaran at Motihari, in connection with Trial No. 4684 of 2024, arising out of Complaint Case No. (C-290) of 2024, 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. 5,000/- per month in bank account of the Opposite Party No. 2 positively by the 7th day of every month starting from 21st April, 2026.

(Anil Kumar Sinha, J)

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