

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73108 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- COMPLAINT CASE District- Araria

Mojibur Rahman @ Mojibur Rahman @ Mojib S/o- Late Gulam Rasul R/v-
Dumaria W.No-6, Ps- Raniganj Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Samsida Khatoon W/o- Mojibur Rahman @ Mojibur Rahman @ Mojib,
D/o- Md. Alam R/v- Gajbi Shankarpur W.No-8, Ps- Bhargama Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 23-02-2026 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

2. The petitioner and the opposite party no. 02 were directed to appear in this Court personally today. Pursuant to the same, the wife has appeared and the petitioner is defying with the order of this Court by not appearing personally and the learned counsel for the petitioner has submitted that the petitioner has no means for travelling to appear in this Court.

3. The petitioner apprehends his arrest in connection with Complaint Case No. 05c of 2024 registered for the offence under Section 498-A of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.



4. As per the prosecution case, the petitioner is accused of assaulting and torturing the victim for demand of dowry.

5. 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.

6. Learned counsel for the State and learned counsel for the informant has opposed the application of the petitioner.

7. Considering the aforesaid facts along with the submission of the parties and in view 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 of grant of anticipatory bail is allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria/concerned Court below in connection with Complaint Case No. 05c of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal



Procedure, 1973 / Section 482 of the BNSS.

8. As a condition of this order, the petitioner is directed to pay a maintenance amount of Rs. 10,000/- from the month of February, 2026 to the informant and the maintenance for the month of February, 2026 shall be paid to the informant within ten days of pronouncement of this order and thereafter the maintenance amount from the month of March, 2026 shall be paid to the informant every month before the 10th day of the month and if the petitioner fails to pay the maintenance amount to the opposite party no. 02 then his bail bonds shall be cancelled by the Court below.

9. It is made clear that the aforesaid maintenance order will be subject to the outcome of any order of concerned Court below passed in maintenance proceedings, if any.

(Sandeep Kumar, J)

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