

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72544 of 2025

Arising Out of PS. Case No.-652 Year-2024 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Md. Mustak @ Md. Mustaque son of Md. Shahid Resident of village
-Gwalpara ward no 4, Ps -Gwalpara District -Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Rahmati Khatoon Daughter of Late Md. Shabir Ali Resident of Village-
Simri Bakhtiyarpur, Purani Bazar Ward no. 18, Ps- Bakhtiyarpur, Dist-
Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Rashmi Jha
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman
		Mr. Md Raghbir Alam
		Mr. Nafisuzzoha

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 652C of 2024 in which cognizance
has been taken under Sections 323, 498A of the Indian Penal
Code and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the petitioner and
others are accused of assaulting and torturing the victim for
demand of dowry.

4. 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.

5. Learned counsel for the State and the learned counsel for the informant have opposed the application of the petitioner.

6. Considering the submission of the parties and in light 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.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Saharsa/concerned Court below in connection with Complaint Case No. 652C of 2024 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS and with further condition that:

(I). The petitioner is directed to pay a maintenance amount of Rs. 8,000/- from the month of January 2026 to the informant and the maintenance for the month of January 2026 shall be paid to the informant before 31.01.2026 and thereafter



the maintenance amount shall be paid to the informant every month before the 10th day of the month.

8. Let a copy of this order be communicated to the Principal District & Sessions Judge, Saharsa through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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