IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78350 of 2026

CNR No. BRHC011138102026

Arising Out of PS. Case No.-230 Year-2026 Thana- MUSAHARI District- Muzaffarpur

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Md. Aavid S/o Md. Akhtar Resident of village - Miayn Patti Jalalpur, PS - Mushahari, District - Muzaffarpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kr. Thakur, Adv.
Mr. Purushottam Kumar, Adv.
Mr. Shivam, Adv.
For the Opposite Party/s : Mr. Rajendra Nath Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Mushahari P.S. Case No. 230 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 85 & 3(5) of the BNS and under Sections 3, 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the informant was married to the petitioner on 14.11.2025. After one month of marriage, her husband and in-laws allegedly started demanding a four-wheeler, gold chain and Rs. 5 lakh in cash as dowry and subjected her to pressure and harassment for non-fulfilment of

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the demand. It is further alleged that on 05.06.2026, when the informant visited her *sasural* along with her parents, her husband and other family members abused and assaulted her by catching her hair and dragging her. Thereafter, on protest, her husband allegedly sprinkled kerosene oil on her body and attempted to set her on fire.

4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case as is evident from the facts stated above. It is stated that the petitioner and the informant are from same village but the petitioner mostly resides outside the village where he is doing job in Uttar Pradesh and seldom used to come to the village. It is submitted that father of the petitioner is an ailing person and mostly remain confined on bed. The petitioner is working as a labour in the district of Ambedkar Nagar, Uttar Pradesh.

5. It is further submitted that the allegations as levelled against the petitioner are general and omnibus in nature. It is submitted on behalf of the petitioner that the petitioner was forcibly abducted to marry with the informant and in this backdrop he has been implicated in this case. Petitioner has clean antecedent and is languishing in judicial custody since

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08.06.2026.

6. Further, it is submitted that there is no allegation as constitute under Section 109(1) of the BNS which is completely ornamental and no villagers has allegedly come forward to support the same. It is submitted that there is no injury whatsoever was found on the body of the informant and at the time of arrest no ground was given to the petitioner in writing.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner, the period of custody as also taking into consideration the fact that there is no injury found on the body of the informant, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Muzaffarpur East/concerned court in connection with Mushahari P.S. Case No. 230 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will

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remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Abhishek/-

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