

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85961 of 2025

Arising Out of PS. Case No.-142 Year-2023 Thana- COMPLAINT CASE - SHERGHATI
District- Gaya

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Dilwar Hussain @ Md. Dilwar Hussain S/o Md. Mushtaque R/o Village -
Bhat Bigha, P.S - Sirdalla, District - Nawada At present R/o - 51XB, Dr. Sud-
hir Bassu Road, Khiddirpur, Kolkata, P.S - Khiddurpur, District - Kolkata
(West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shagufta Naaz W/o Dilwar Hussain @ Md. Dilwar Hussain R/o Village -
Bhat Bigha, P.S - Sirdalla, District - Nawada At present R/o Village - Kothi,
Post and P.S - Kothi, District - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 15-05-2026 1. Heard learned counsel for the petitioner and learned
counsel for the complainant - Opposite Party No. 2.
2. The petitioner apprehends his arrest in connection
with Sherghati Complaint Case No. 142 / 2023 registered for the
offence under Section 323, 324, 379, 498A of the I.P.C. and Sec-
tion 3/4 of the D.P. Act in which cognizance of the offence has
been taken under Section 498(A) of the I.P.C. and Section 4 of
the Dowry Prohibition Act.
3. The prosecution case, as per the complaint petition,



is that the marriage of the complainant was solemnized with the petitioner according to Muslim rites and rituals on 25.05.2021 and it is alleged that the petitioner including the in-laws of the complainant started demanding Rs. 2 lakhs as dowry and due to non fulfillment of the said demand, the petitioner and other family members tortured the complainant - Opposite Party No. 2 both physically as well as mentally and on 06.01.2023 the in-laws of the complainant tried to kill her by sprinkling kerosene oil on her but anyhow she save herself and later on she was driven out from her matrimonial home.

4. Learned counsel for the petitioner submits that 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 undertakes 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 matrimonial case, if any, pending and / or decided between the parties.

5. Learned counsel for the complainant - Opposite Party No. 2 submits that the complainant - Opposite Party No. 2 is at the verge of starvation, having no source of income and



accepts the offer so made by the petitioner and submits that 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 offer made by the petitioner has been accepted by the Opposite Party No. 2, as such, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. 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 anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati (Gayajee) in connection with Sherghati Complainant Case No. 142 / 2023 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 the month of June, 2026.

(Anil Kumar Sinha, J)

praful/-

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