

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84259 of 2025**

Arising Out of PS. Case No.-252 Year-2024 Thana- COMPLAINT CASE - SIKRAHANA  
District- East Champaran

=====

Aftab Alam @ Md. Aftab Alam S/O Abdullah R/O Vill.- Mohabbatpur Dhaka,  
P.S.- Dhaka, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gajala Khatoon D/O Akramul Haque R/O Vill.- Kathmaliya, P.S.-  
Shikarganj, Dist.- East Champaran.

... .. Opposite Party/s

=====

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Abhishek Kumar, Advocate    |
| For the Opposite Party/s | : | Mr. Choubey Jawahar, A.P.P.     |
| For the O.P. No. 2       | : | Mr. Arun Kumar Bhagat, Advocate |

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      17-03-2026                      Earlier, *vide* order dated 12.12.2025, the matter was referred to the Mediation and Conciliation Centre, Patna High Court, Patna, but as per the Mediator's Report (flag 'M'), the mediation has failed.

2. Heard learned counsel for the parties.

3. The petitioner apprehends arrest in a case registered for the offences punishable under Sections 115(2), 85, 303(2), 352(2), 3(5) of the Bharatiya Nyaya Sanhita.

4. As per prosecution case, marriage of complainant was solemnized with this petitioner in the year 2020. Thereafter, it is alleged that complainant was subjected to torture and cruelty due to non-fulfillment of demand of dowry.



5. Learned counsel for the petitioner, while denying the allegations levelled against him, submits that petitioner, who is husband of the complainant, is ready to keep her with honour and safety. Besides this, petitioner is ready to give Rs. 3000/-per month to the informant by way of temporary relief/solace, starting from this month, subject to any order passed in matrimonial, maintenance or connected proceedings.

6. In view of the aforesaid undertaking of learned counsel for the petitioner that petitioner is ready to give Rs. 3000/- per month to the complainant by way of temporary relief/solace, starting from this month, this anticipatory bail application is allowed.

7. Let the above-named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, East Champaran, Motihari in connection with Complaint Case No. 252 of 2024, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita as well as on the following conditions:-

‘(1) Complainant would file an affidavit before the



court below and bring on record her savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the complainant.

(3) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(4) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.'

**(Prabhat Kumar Singh, J)**

Navya/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

