

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84902 of 2025

Arising Out of PS. Case No.-1452 Year-2023 Thana- COMPLAINT CASE District- Araria

Munna Mustak S/o Nazmul @ Najmul Haq R/o Village - Bhebhra, Ward No. 15, P.S - Jokihat, District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulshan Ara W/o Munna Mustak D/o Najam Uddin, R/o village - Satbita, Ward No. 7, P.S - Jokihat, District - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

5 10-04-2026 In compliance of the earlier order dated 24.03.2026, both the parties along with their respective lawyers are present in Chamber proceeding.

2. Heard learned counsel for the petitioner, learned counsel appearing on behalf of the informant and learned APP for the State.

3. The petitioner is apprehending his arrest in connection with Complaint Case No. 1452 of 2023 for the offence under Sections 498S, 448, 323 and 34 of the I.P.C. and Section 3/4 of the Dowry Prohibition Act.

4. It is a case of matrimonial dispute between both the parties in which there is allegation on the petitioner regarding



abusing and assaulting the complainant for demand of dowry.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the instant false case. No occurrence took place in the manner as alleged in the complaint petition against him. In the Complaint Petition there are general and omnibus allegation has been made against the petitioner that he used to assault and torture the complainant.

6. During the course of argument, learned counsel for the petitioner submits that petitioner is ready to keep his wife with him whereas O.P. No. 2 (wife of the petitioner) is not willing to lead the conjugal life with the petitioner. Learned counsel further submits that petitioner is willing to pay Rs. 2,000/- per month for her maintenance and he is also ready to file an affidavit regarding the payment of aforesaid amount in the Trial Court/Court below to show his *bona fide* conduct.

7. Keeping in view the aforesaid facts, and considering the submissions made by learned counsel for the petitioner, this Court is inclined to enlarge the petitioner on privilege of anticipatory bail.

8. The above amount of maintenance will be adjusted in any future order regarding maintenance passed by any



competent Court. Petitioner will pay the aforesaid maintenance amount in advance for two months in the bank account of the O.P. No. 2 at the time of furnishing the bail bond and the details of bank account will be furnished by the informant as soon as possible.

9. Petitioner is directed to file an affidavit regarding the payment of Rs. 2,000/- per month as maintenance to her wife at the time of furnishing bail bond.

10. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Araria, in connection with Complaint Case No. 1452 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

11. Accordingly, the instant application stands disposed of.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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