

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88677 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- COMPLAINT CASE District- Kishanganj

Md. Oquais Salik @ Oquais S/o Md. Quamrul Huda Resident of - Bidhayak Colony, P.S - Katihar, District - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tabassum Rabeta W/o Md. Oquais Salik @ Oquais Resident of - Bidhayak Colony, P.S - Katihar, District - Katihar Present Address - D/o Jamal Akhtar, R/o - Loharpatti, Near - Kishan Bakery, Motibag, Karbala, P.S - Kishanganj, District - Kishanganj, Pin - 855107

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar
For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-01-2026 Heard the learned counsel for the petitioner and learned counsel for the State.

2. The petitioner apprehends arrest in connection with Kishanganj Complaint Case No. 97 of 2025 filed for offences under Sections 85 of the Bharatiya Nyaya Sanhita, 2023 and Section 3/4 of the DP Act.

3. As per the prosecution case, the petitioner is alleged to have tortured, abused and assaulted the victim and ousted her from her matrimonial house due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence.



He further submits that the petitioner is the husband of the complainant.

5. The learned counsel for the petitioner has informed this Court that the petitioner is a Junior Engineer and some maintenance amount has been fixed by the Principal Judge, Family Court, Kishanganj.

6. Learned APP for the State has vehemently opposed the prayer for bail.

7. Considering the laid down by the Hon'ble Supreme Court in the case of *Arnesh Kumar V/s State of Bihar & Anr, (2014) 8 SCC 273*, this application for anticipatory bail stands allowed.

8. Accordingly, let the petitioner, above-named, in the event of arrest or surrender within four weeks from today in the Court below, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Kishanganj/concerned Court below in connection with Kishanganj Complaint Case No. 97 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

9. The petitioner is directed to continue paying the maintenance regularly as fixed by the Principal Judge Family



Court, Kishganj, failing which the Court below shall be at liberty to cancel the bail bonds of the petitioner.

(Sandeep Kumar, J)

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