

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91485 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- MAHILA PS District- Darbhanga

Md. Shaukat Hayat @ Mohd. Shaukat Hayat S/O Late Nasirul Hoda R/O
Village- Chandanpatti, P.S- Ashok Paper Mill, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Urooj Imam D/O Anwar Imam R/O Amir Manzil, Milan Chowk, Mohalla-
Quilaghat, P.S. and Dist.- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Shama Sinha, Advocate Mr. Vijayansh Pratap Singh, Advocate Mr. Surya Prakash, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 09-02-2026 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned A.P.P. for the

State.

2. The petitioner apprehends arrest in connection
with G.R. No. 1375 of 2025 arising out of Darbhanga Mahila
P.S. Case No. 42 of 2025 instituted under Sections 85, 351(2),
352, 126 (2), 115(2) and 3 (5) of B.N.S. 2023.

3. As per prosecution case, the petitioner is the
husband of the informant. The allegation by the informant is of
torture.

4. Both the parties were directed to appear. The
petitioner is an engineer working in a gulf country. The wife is



working as a guest lecturer. There are allegations and counter allegations by the parties. In the facts of the case, it appears that there is some matrimonial discord which has been given colour of criminal case.

5. The learned A.P.P. for the State and learned counsel for the complainant oppose the prayer for anticipatory bail of the petitioner.

6. Considering the submission of the parties and in view of the law down by the Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar* reported in (2014) 8 SCC 273, this application of grant of anticipatory bail is allowed.

7. Let the petitioner, above-named, in the event of his arrest, be released forthwith on bail, on furnishing a bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of the Arresting Officer or Investigating Officer or the jurisdictional S.H.O. concerned, in connection with G.R. No. 1375 of 2025 arising out of Darbhanga Mahila P.S. Case No. 42 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C./482 of the B.N.S.S. and further to the condition that the petitioner shall join investigation and shall fully co-operate in the investigation/trial, failing which the concerned court below shall



be at liberty to cancel the bail bonds of the petitioner.

8. Needless to state that, if the petitioner fails to abide by the terms and conditions, as stated hereinabove, the State shall be at liberty to file an appropriate application, before the learned concerned court below, for cancellation of bail granted to the petitioner.

(Sandeep Kumar, J)

vashudha/-

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