

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8654 of 2025

Arising Out of PS. Case No.-2331 Year-2023 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Md. Shadab Khan @ Md. Shadab Barikhan S/o Abdul Bari Khan @ Abdul Barkha @ Abdul Barikhan R/o vill - Fatahpur, P.O.- Bhutahi, P.S. - Sonebarsa, Distt.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar Patna, Bihar
2. Irfana Praveen W/o Md. Shadab Khan R/o vill - Fatehpur, P.O. - Bhtahi, P.S. - Sonbarsa, Distt.- Sitamarhi, At present address D/o Md. Arshad Khan, R/o vill - Maricha Ram, P.o. and P.S. - Sarai, Distt.- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

6 01-11-2025 Heard learned counsel for the petitioner as well as learned APP for the State and the learned counsel for O.P. No. 2.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 2331 of 2023, registered for the offence punishable under Section 498(A) of the Indian Penal Code and 4 of Muslim Women (Protection of Rights on Marriage) Act.

3. The complainant Irfana Praveen makes allegation against the petitioner who is husband that the marriage was solemnized on 09-10-2022 according to Muslim Rites and Customs. When she went to her matrimonial house, the accused



persons demanded dowry of Rs. 2,00,000/- and for non-fulfillment of the same, they started torturing the complainant. In the meanwhile, the petitioner conceived and even during course of pregnancy, the accused persons continued the infliction of atrocities.

4. It has been submitted on behalf of the complainant that the petitioner has solemnized the second marriage. He is working in Mascot as Marketing Executive and HRD department has given certificate that he was earning 3,000/- Saudi Riadh which is equivalent to 71,000/- in Indian currency and in reply to that, learned counsel for the petitioner submits that the complainant herself cheated the petitioner. His further submission is that the salary of the petitioner is not as stated by the complainant.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He has submitted further that the petitioner is ready to pay Rs. 8,000/- per month as interim maintenance to opposite party no. 2.

6. On the other hand, the learned counsel for O.P. No. 2 has opposed the prayer for grant of anticipatory bail to the petitioner.



7. Considering the above-mentioned facts and circumstances, especially the fact that the petitioner is ready to pay Rs. 8,000/- per month as interim maintenance to opposite party no. 2, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, 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 Judicial Magistrate-Ist Class/concerned court, Hajipur, Vaishali in connection with Complaint Case No. 2331 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

8. The petitioner is directed to pay Rs. 8,000/- per month as interim maintenance to opposite party no. 2 (the informant). The interim maintenance granted by this Court shall be subject to adjustment, if any other court grants maintenance to the opposite party no. 2.

9. The petitioner is directed to appear in the case, if any, filed by the complainant for her maintenance.

(Nawneet Kumar Pandey, J)

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