

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11728 of 2025

Arising Out of PS. Case No.-99 Year-2024 Thana- MAHILA PS District- Darbhanga

Md Zakir Son of Late Shaikh Buddhu Resident of Mohalla- Chuna Bhatti,
Laxmi Sagar, P.S.- L.N. M.U. District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sahina Parween W/O- Md. Zakir, D/O- Late Md. Shamim At present, R/O Mohalla- Mirza Hayat Beg (Neem Chowk), P.S.- Lahriyansarai, District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand
For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 314-05-2025
1.

Heard learned Counsel for the petitioner, learned Counsel for the complainant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
2.

The petitioner apprehends his arrest in connection with Mahila Police Station Case No. 99 of 2024, registered for the offences punishable under Sections 85/352/351(1)/82(1)/115(2)/3(5) of the Bhartiya Nyaya Sanhita.
3.

The allegation, as per the First Information Report, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 15.05.2014 and three children were born from the wedlock. After some time, the petitioner



and his family members started demanding Rs. 8 Lakh, 20 gm gold and one bullet motorcycle. Upon refusal all the accused persons abused and assaulted the opposite party no. 2 and also stopped her food. It has further been alleged that on 30.06.2024, the petitioner solemnized second marriage. When protested, the accused persons, including the petitioner, assaulted her and ousted her from the matrimonial home, along with her three minor children, and threatened her with dire consequences, if she returns without dowry.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. He next submits that the informant tried to kill the petitioner by administering poison in milk for which information petition no. 729 of 2024 has been filed. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending and/or decided between



the parties.

5. Learned Counsel for the complainant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 5,000/- per month in the bank account of the complainant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner within ten days from today.
6. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Darbhanga, in



connection with Mahila Police Station Case No. 99 of 2024.

9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account of Opposite Party No. 2, starting from 5th June, 2025.

(Anil Kumar Sinha, J)

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