

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11493 of 2025**

Arising Out of PS. Case No.-7 Year-2024 Thana- SULTANGANJ District- Patna

Md. Nadeem @ Mohammad Nadeem Son of Md Shamimuddin Resident of
Mohalla - Amin Colony, Lodi Katra, P.S. - Khajekalan, P.O. - Jhauganj,
District - Patna, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shajiya Naj Wife of Md. Nadeem, Daughter of Shamshad Ali Permanent Resident of Dargah Road, Pather Ki Masjid, P.S. - Sultanganj, P.O. - Mahendru, District - Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Azim Uddin

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 21-04-2025 At the outset, learned counsel for the petitioner seeks
permission to make correction in paragraph - 3 of the petition.

2. Permission is accorded.

3. It may be done in course of the day.

4. The petitioner apprehends his arrest in a case
registered for the offence under Sections 323, 498(A), 494, 504,
506 and 34 of the Indian Penal Code.

5. As per prosecution case, informant was married
with petitioner on 27.03.2018 as per Muslim customs & rites
and parents of informant spent about 25-30 lacs in marriage, in
which some cash and through RTGS payment was done, as gift
and out of the wedlock, one female child was born. It is further
alleged that after birth of female child, all the accused persons
named in the F.I.R. including petitioner tortured informant



physically and mentally and finally, ousted her from matrimonial house. It is further alleged that petitioner has solemnized second marriage with another girl and do not want to keep informant with him.

6. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence. He further submits that for the same set of occurrence, the opposite party no. 2 had earlier filed a complaint case, vide Complaint Case No. 688 of 2020, in which, he was granted anticipatory bail by this Court, vide order dated 10.11.2022 passed in Cr.Misc. No. 59685 of 2021 with condition to make payment of Rs. 3500/- (Three thousand five hundred) per month to opposite party no. 2, as maintenance (temporary relief/solace) and in compliance thereof, petitioner is regularly making payment of Rs. 3500/- to opposite party no. 2 (copy of payment slip is annexed as Annexure P/4 to the bail petition). But, despite receiving monthly payment of Rs. 3500/-, the opposite party no. 2 has again filed a case against petitioner and his family members with the same and similar allegation to harass and humiliate petitioner and others.

7. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is allowed.



8. Accordingly, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City, Patna in connection with Sultanganj P.S. Case No. 7 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

