

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30333 of 2025**

Arising Out of PS. Case No.-149 Year-2022 Thana- COMPLAINT CASE District-
Kishanganj

=====

Muzaffar Rahi Son of Zahid Alam Resident of Village - Chainpur, P.S.-
Kochadhaman, District - Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ladli Praveen Wife of Muzaffar Rahi D/o Hasibur Rahman, Resident of
Village - Chainpur, P.S.- Kochadhaman, District - Kishanganj

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Arun Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 14-08-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 149 of 2022, registered for the
offences punishable under Sections
147,341,323,379,354,354(B),498A/34 of the Indian Penal Code
and 3/4 of the Dowry Prohibition Act.

3. Allegedly the complainant was subjected to sexual
exploitation, by making her obscene video and threatening to
make it viral. However, on intervention of Panchayat and local
people, her marriage was solemnized with the petitioner on



12.09.2021 as per the Muslim rites and rituals. Soon after the marriage, she was subjected to demand of dowry and on account of non-fulfilment of the same, she was tortured in various ways and finally ousted from the matrimonial house.

4. Learned Advocate for the petitioner submitted that since inception it is the complainant, who does not want to live with the petitioner and only trying to extort money. The complainant also filed a maintenance case but the petitioner could not be abled to pay the amount, therefore the matter could not be settled, though the petitioner has always been ready to keep her. It is further contended that though complaint case filed with manifold allegation, but the cognizance has been taken only under Section 498 of the Indian Penal Code.

5. Learned Advocate for the opposite party no. 2 submitted that since the opposite party no. 2 has not only been tortured, but also ousted from the matrimonial home along with her two years daughter and the petitioner is not looking after them, she filed a Maintenance Petition No. 33 of 2022. The learned Principal Judge, Family Court, Kishanganj vide judgment dated 07.06.2024 directed to pay a maintenance amount of Rs.5,000/- to the applicant and Rs.3,000/- to the minor daughter per month, till she becomes major. The direction



was made that the payment shall be made with effect from the date of filing of the maintenance petition. Despite the specific order, the petitioner has not paid a single farthing.

6. This Court has heard the learned Advocates for the respective parties.

7. Yesterday i.e. on 13.08.2025, when the matter was taken up, this Court was of the opinion that this matter should be referred to the Mediation Centre for resolving the dispute and for the said purpose directed the petitioner to show his bonafide and deposit some amount in favour of his wife and daughter.

8. Learned Advocate for the petitioner, on instruction, submitted at the Bar that the petitioner has shown his inability to pay any farthing.

9. Having considered the submissions made by the learned Advocate for the petitioner on behalf of the husband and taking note of the judgment/order of the Principal Judge, Family Court, as well as the indulgence made by this Court, he has not shown his bonafide and paid even a farthing in favour of his wife, this Court finds that the petitioner does not deserve any sympathy as his conduct is apparently in derogation to all the moral ethics, besides in defiance to the order of the Court, hence the prayer for anticipatory bail of the petitioner stands rejected.



10. The present application stands dismissed.

(Harish Kumar, J)

Anjani/-

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

