

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56444 of 2024

Arising Out of PS. Case No.-28 Year-2022 Thana- MAHILA P.S. District- Madhubani

Md Mujahid @ Md. Mujahid Ansari S/o Md. Kalamuddin R/o vill - Kakroul,
P.S. - Rahika, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruksana Khatoon D/o Md. Noor Basar R/o vill - Kakroul, P.s. - Rahika,
Distt. - Madhubani, at present R/o vill - Bela, P.S. - Rahika, Distt. -
Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Udeshya Kr. Yadav, Advocate
For the Opposite Party/s	:	Mr. Kanhiya Kishor, Advocate
For the O.P. No. 2	:	Mr. Ratnakar Jha, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-06-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the opposite party no.

2.

2. The petitioner apprehends his arrest in connection
with Madhubani Mahila P.S. Case no.28 of 2022 registered
under sections 498A, 323, 341, 354B, 504 and 506 of the Indian
Penal Code and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the informant states
that her husband Mujahid Ansari, the petitioner herein, along
with accused persons started to assault the informant mentally
and physically on account of non-fulfillment of demand of



dowry and also ousted her from matrimonial house.

4. Learned counsel for the petitioner submits that earlier the matter had been sent to the Patna High Court Mediation Centre vide order dated 22.01.2025 but the mediation process has failed. Learned counsel for the petitioner further submits that the allegation of demand of dowry and torture is false and concocted. The petitioner is always ready to keep his wife with full dignity and honour but it is the opposite party no.2 who never wants to live with the petitioner. It has further been submitted in paragraph no. 13 of the petition that two children were born out of their wedlock and are living in the house of petitioner and they are being well taken care of. The petitioner has no criminal antecedent and undertakes to co-operate in case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 3,500/- to his wife in the second week of every month for her basic requirements. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance



case or any other collateral proceeding.

7. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Madhubani Mahila P.S. Case no.28 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Madhubani, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

8. If the opposite party no. 2 furnishes the Bank account in which the amount can be transferred and yet the petitioner fails to make the aforesaid payment of Rs. 3,500/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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