

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64178 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- Mahila District- Arwal

Md. Aazam Ali S/o Md. Ali R/o Village- Maneri, Post- Usari, P.S.- Mehandia,
District- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Farida Praveen Wife of Md. Aazam Ali, D/o- Azamal Hussain R/o Village- Maneri Bigha, Post- Usri, P.S.- Mehandia, District- Arwal. Presently residing at Village- Purani Baszid Road Paliganj, P.O. and P.S.- Paliganj, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Singh, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-09-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Arwal Mahila P.S. Case no.9 of 2025 registered for the offence punishable under sections 74, 85, 115(2), 126, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 3 and 4 of the Dowry Prohibition Act.

3. As per prosecution case, the informant was married to the petitioner in the year 2020. She further states that she was physically and mentally tortured as also abused and assaulted by the petitioner and the members of his family. She further states that she was taken to Delhi where also the



petitioner assaulted her and also made a demand of Rs. 8 lakhs.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the informant. The allegations of assault, torture and demand of dowry etc. are all false and concocted. It was the petitioner who filed Matrimonial Case no.204 of 2024 for grant of decree of divorce and dissolution of marriage against the informant and the same is pending in the Court of Principal Judge, Family Court and it was subsequent thereto that the instant FIR had been lodged with false and concocted allegations on 11.2.2025. It is further submitted that the falsity of the allegations would also be evident from the fact that there is no complaint, to the knowledge of the petitioner, in the past.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that he has no information about the pendency of the divorce case. The petitioner is the husband and there are specific allegations against him of assault on the informant and having made demand of dowry. The informant is still ready to live amicably with the petitioner.



6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the petitioner being the husband of the informant, he having filed Matrimonial Case no.204 of 2024 in the Court of Principal Judge, Family Court, Jehanabad where after the instant FIR was registered and the petitioner not having any criminal antecedent, 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 Arwal Mahila P.S. Case no. 9 of 2025 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 Sub Divisional Judicial Magistrate, Arwal.

(Partha Sarthy, J)

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