

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2633 of 2025

Arising Out of PS. Case No.-109 Year-2024 Thana- KASMA District- Aurangabad

Abdul Qadir Son of Md. Najibur Rahman Resident of Village - Arthua, P.O. -
Arthua, P.S. - Kasma, District - Aurangabad, Bihar

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Taslima Khatoon Wife of Abdul Kadir Resident of Village - Arthua, P.O. -
Arthua, P.S. - Kasma, District - Aurangabad (Bihar), present residing D/o.
Md. Amanullah, resident of Village - Bichali Gali, P.O. and P.S. - Madanpur,
District - Aurangabad, Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP
For the O.P. No.2 : Mr. Anirudh Kr. Verma, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 405-08-2025

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 Kasma P.S. Case no.109 of 2024 registered under sections
498A, 323, 342, 504, 379 and 506 of the Indian Penal Code,
Section 3/4 of the D.P. Act and Section 4 of the Muslim Women
(Protection of Right on Marriage), Act 2019.
3. The case is one under 498A and petitioner is the
husband. The allegation in the F.I.R is of demand of dowry and
torture.



4. Learned counsel for the petitioner submits that earlier the matter had been sent to the Patna High Court Mediation Centre vide order dated 08.05.2025 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. 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. 4,000/- 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 Kasma P.S. Case no.109 of 2024 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 Court below, 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. 4,000/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

Harsh/-

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