

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7217 of 2026

Arising Out of PS. Case No.-289 Year-2021 Thana- COMPLAINT CASE District- Banka

Md Jawed @ Md Javed S/O Md Mojim @ Shah Mojib R/O Village -Assi
Khagra, P.S- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Najmin D/O Late Md Nawab R/O Village- Karhariya, P.S- Dhoraiya,
Distt.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-07-2026 Pursuant to order of this Court dated 22.04.2026, the

matter was referred to the Mediation & Conciliation Centre of

Patna High Court, but the dispute between the parties could not

be resolved through the process of mediation and as such,

mediation failed.

2. Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the complainant /

opposite party no. 2.

3. The petitioner apprehends his arrest in a complaint

case punishable for the offences under Sections 498(A), 323,

379, 506 of the Indian Penal Code and Section 4 of the Dowry

Prohibition Act.



4. As per the complaint petition, the complainant got married with this petitioner on 11.09.2017 and after the marriage, she was subjected to torture and cruelty by this petitioner and other in-laws family members for dowry and lastly, on 27.02.2021, she was ousted along with her child from the matrimonial house.

5. Learned counsel appearing for the petitioner, while denying the allegations, submits that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, no marriage has been performed between the petitioner and complainant/opposite party no.2 and present case has been lodged only with a view to put pressure on petitioner. Accordingly, there is no question of payment of temporary relief/solace in the saving bank account of the opposite party no.2.

6. Petitioner's dispute with respect to consummation of his marriage with opposite party no.2 cannot be examined by this Court while hearing anticipatory bail petition. From perusal of complaint, it is clear that petitioner is husband of opposite party no.2 and due to torture meted out by him, opposite party no.2 is not living with the petitioner.

7. Considering the same, the prayer for anticipatory



bail of petitioner stands rejected.

(Prabhat Kumar Singh, J)

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