

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20034 of 2026

Arising Out of PS. Case No.-37 Year-2022 Thana- COMPLAINT CASE - MOHANIA
District- Kaimur (Bhabua)

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Faizan Ahmad S/o Late Serajuddin R/o Village- Bhikhaipur, P.O.- Bhitari, PS-
Saidpur, District- Ghazipur, Uttar Pradesh, at present R/o vill - Maupara
(Deokali), P.S.- Nandganj, Distt.- Ghazipur (U.P)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rukhsar Parveen W/o Faizan Ahmad, D/o Syed Hasim Hussain R/o vill -
Maupara, P.O. - Deokali, P.S.- Nandganj, Distt.- Ghazipur (U.P) and R/o vill
- Bhikhaipur, P.O- Bhitari, P.S.- Saidpur, Distt.- Ghazipur (U.P), at present
R/o vill - Belauidi, P.O. - Belauidi, P.S.- Mohania, Distt.- Kaimur at Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan, Adv.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-07-2026 Heard Mr. Parwej Khan, learned counsel for the
petitioner and the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 37 of 2022 for the offence registered
under sections 323, 498(A), 506 & 34 of the Indian Penal Code.

3. As per the prosecution story, the informant alleged
that the marriage took place in the year 2017 but she was always
tortured for the dowry and later, in the year 2021, she was ousted
from the in-laws' house. This led to the complaint.

4. Earlier, the Co-ordinate Bench issued notice to the
opposite party no. 2 and the report shows that it has been validly



served.

5. Learned counsel for the petitioner submits that there was dispute between the parties which led to him filing Matrimonial Case No. 603 of 2021 (Faizan Ahmad vs. Rukhsar Parveen) for restitution of conjugal rights before a competent Family Court, Gajipur, U.P. which followed the complaint. Further, till the matter comes to an end, he is ready to pay Rs. 4,000/- per month to the lady, she being the wedded wife.

6. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that allegation of dowry and assault are there in the petition.

7. Considering the aforesaid submissions of the parties as also that the petitioner do not have criminal antecedent and is ready to take care of his wife, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 4,000/- which will go in the bank account of the lady and failure to pay the amount, she will be free to take steps for the cancellation of the bail bond.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st



Class, Mohania, Kaimur at Bhabua in connection with Complaint
Case No. 37 of 2022 subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family
members/relatives of the petitioner, who shall provide official
document (Aadhar Card, PAN Card, Driving License, Voter ID) to
show his *bona fide*;

(ii) the petitioner shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty to
take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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