

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31301 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- BANJARIA District- East Champaran

FAIYAJUL HAK ANSARI @ MD. FAIYAZUL S/o- Late Rahman Ansari
Village- Gokhula Ps- Banjariya Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Nagma Khatoon W/o- Faiyajul Hak Ansari Village- Gokhula Bazzar Tola
Tarkulwa Ps- Banjariya Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

9 13-05-2026 1. Heard learned Counsel for the petitioner, learned
Counsel for the informant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in
connection with Banjariya Police Station Case No. 354 of 2024,
registered for the offences punishable under Sections 85, 109,
115(2), 118(1), 126(2), 303(2) and 3(5) of the BNS, 2023.

3. The prosecution story, in brief, is that the
informant alleged that her marriage with the petitioner was
solemnized about eight years prior to the occurrence. After
marriage, the petitioner and his family members allegedly



demanded Rs. 5,00,000/- and 10 dhur of land as dowry and subjected her to cruelty for non-fulfilment of the demand. It is further alleged that on 02.09.2024, the informant was assaulted by the petitioner and his family members. Subsequently, on 15.11.2024, all the accused persons allegedly entered the informant's room with intention to kill her. On the instigation of Nur Jahan, the petitioner allegedly assaulted the informant by dragging her by hair and hitting her head against the wall, while the other accused persons assaulted her with belna and danda. It is also alleged that the petitioner further assaulted her with a fasul, causing head injury.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 4,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending and/or decided between the parties.

5. Learned Counsel for the complainant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the



petitioner and submits that the informant is at the verge of starvation and the petitioner may be directed to deposit the said amount of Rs. 4,000/- per month in the bank account of the complainant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner within 15 days from today.

6. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Banjariya Police Station Case No. 354 of 2024.

9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 4,000/- per month in the bank account



of Opposite Party No. 2 positively, starting from 1st June, 2026.

(Anil Kumar Sinha, J)

HarshPandey/-

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