

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69262 of 2025

Arising Out of PS. Case No.-885 Year-2023 Thana- COMPLAINT CASE - ROSERA District- Samastipur

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Md. Shahadat @ Md. Sahadat Son of Md. Ibrahim Resident of Village- Laxminiya Tole Navtoliya (Lavtoliya), P.S.- Kusheshwar Asthan, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Khairun Nisha @ Khairun Khatoon Wife of Md. Shahadat R/O Vill- Laxminiya Tola Lavtoliya, P.S.- Kusheshwar Asthan, District- Darbhanga. Present Address- Daughter of Jalil Nadaf, R/O Vill.- Manorwa Khaira, P.S.- Bithan, District- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Nilendu Kumar Choudhary
For the Opposite Party/s	:	Mr.Nirmal Kumar Sinha
For the informant	:	Mr. Vijay Kumar
		Mr. Brahmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 01-04-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 885 of 2023 dated 11.12.2023 registered for the offence punishable under Sections 323 / 494 / 379 / 498(A) of the I.P.C.

3. The prosecution case in short is that marriage of the complainant was solemnized with the petitioner in the year 2008 as per Muslim rites and rituals and out of the wedlock three children were born. It is alleged that in 2016 the petitioner developed illicit relationship with one Shabnam Khatoon which



was opposed by the complainant due to which she was abused and assaulted and later on the petitioner demanded Rs. 2 Lakh as dowry from the complainant and due to non-fulfillment of the demand she was tortured mentally and physically and lastly the complainant was ousted from her matrimonial home.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case inasmuch as he has not committed any offence in the manner alleged. He further submits that the complainant always pressurized the petitioner to desert his family and stay separately. The present complaint has been filed after 14 years of marriage which itself falsifies the prosecution case. There is general and omnibus allegation against all the accused persons without any substance in the same.

5. Learned counsel next submits that the matter was sent for mediation by this Court vide order dated 17.01.2026 and final mediation report is on record (flag- 'M'). From perusal of the same it appears that both husband and wife arrived at amicable settlement and have jointly signed the agreement containing terms and conditions of compromise on 27.02.2026.

6. Learned counsel for O.P. No. 2 supports the argument of learned counsel for the petitioner regarding amicable settlement



arrived at between the parties through the process of mediation.

7. Considering the fact that the matter has been compromised and both husband and wife has arrived at amicable settlement before the learned Mediator and mediation report has been submitted by the learned Mediator having the terms and conditions of compromise, I am inclined to grant the petitioner privilege of anticipatory bail subject to the condition that the parties shall abide by the terms and conditions entered into between them before the learned Mediator mentioned in the mediation report dated 27.02.2026.

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 anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Rosera, Samastipur in connection with Complaint Case No. 885 of 2023 subject to the condition as laid down under Section 482(2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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