

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70042 of 2025

Arising Out of PS. Case No.-129 Year-2024 Thana- MAHILA P.S. District- Siwan

MD. ZYAOUL HAQUE S/O LATE MD. RASHID R/o vill - Nawatan,
Narkatiya, P.s.- Nawatan, Distt.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Nagma Khatoon W/o Md. Zeyaul Haque R/o vill - Paranpur Sawna, P.S.-
Barhariya, Distt.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar
For the Opposite Party/s : Mr.Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 06-04-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Siwan Mahila P.S. Case No. 129 of 2024 dated 03.12.2024 registered for the offence punishable under Sections 115(2), 126(2), 85, 351(3), 3(5) of the B.N.S. and Section 3/4 of the D.P. Act.

3. As per the F.I.R. the marriage of the informant / opposite party no. 2 was solemnized with the petitioner according to Muslim rites and rituals on 07.05.2018. It is alleged that one month after marriage the accused persons including the petitioner started demanding a car in dowry and due to non-fulfillment of the demand all the accused persons tortured the informant physically and mentally.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has not committed any offence in the manner alleged and has falsely been implicated in this case. He further submits that the opposite party no. 2 from beginning of her marriage was not happy with the petitioner and left her in-law's house on her own volition and started residing at 'maikey' and threatened the petitioner of dire consequences as such the petitioner filed an informatory petition before the S.D.J.M., Siwan and in retaliation the opposite party no. 2 lodged the present F.I.R. He next submits that neither any dowry demand has been made from the informant by the petitioner or any of his family members nor the informant has been subjected to any type of assault or torture at any point of time. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family, the petitioner undertakes to pay a sum of Rs. 3,000/- per month to the opposite party no. 2 as "living cost" subject to final outcome of the present case as well as matrimonial case and / or maintenance case filed and decided between the parties.

5. Learned counsel for the informant / opposite party no. 2 submits that petitioner and his family members subjected cruelty and tortured the opposite party no. 2 both physically and



mentally. The informant / opposite party no. 2 is at the verge of starvation. She next submits that informant's educational certificates are lying with the petitioner. However, she accepts the offer so made by learned counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 3,000/- per month in the bank account of the informant / 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 ten days from today and the petitioner may be directed to hand over the educational certificates.

6. After having heard learned counsel for the parties and taking into consideration the materials on record and the fact that offer made by learned counsel for the petitioner has been accepted by learned counsel for the opposite party no. 2, as such, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. 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 S.D.J.M., Siwan



in connection with Siwan Mahila P.S. Case No. 129 of 2024
subject to the condition as laid down under Section 482(2) of
the B.N.S.S. as well as the following condition:-

(i) that the petitioner shall deposit a sum of
Rs. 3,000/- per month in the bank account of the
opposite party no. 2 positively by the 7th day of
every month starting from the month of May,
2026.

(ii) the petitioner shall hand over all the
educational certificates of the opposite party no. 2
before furnishing bail bond.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

