

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82317 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- MAHILA PS District- Aurangabad

Naushad Alam S/o Faruk Ansari Resident of Village- Mansara, P.S.- Amba,
District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Najani Praveen D/o Md. Hasim R/o vill - Bala Pokhar Dev, P.S.- Dev, Distt.-
Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-04-2026 Heard learned counsel for the parties concerned.

2. The petitioner apprehends his arrest in connection with Aurangabad Mahila Police Station Case No. 38 of 2025, dated 13.07.2025, registered for the offence punishable under Sections 126(2), 115(2), 85, 82(1), 352, 303(2) and 3(5) of Bharatiya Nyaya Sanhita and Section 3/4 of Dowry Prohibition Act.

3. The prosecution case in brief is that the marriage of the informant was solemnized with the petitioner in the year 2022 as per Muslim rites and rituals and out of the wedlock two children were born. Later on petitioner demanded Rs. 5 Lakh as dowry from the informant and due to non fulfillment of the



demand, she was tortured mentally and physically and ousted from her matrimonial house. It is further alleged that her husband solemnized 2nd marriage with one Sarwari Khatun.

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 matter was sent for mediation by this Court vide order dated 11.02.2026 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 19.03.2026.

5. Learned counsel for the 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.

6. 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 19.03.2026.

7. Accordingly, the prayer for bail allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on 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, Daudnagar, Aurangabad, in connection with Aurangabad Mahila Police Station Case No. 38 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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