

IN THE COURT OF ADDITIONAL AND DISTRICT SESSIONS JUDGE-IV,

AURANGABAD

A.B.P. No.- 2761/2025

Arising Out of Salaiya PS Case no. 47/2025

Md. Raja Khan Vs. The State of Bihar

ORDER DATED 25.04.2026

The instant Anticipatory Bail Petition has been filed by (1) Md. Raja Khan, S/o Jahangir Khan, Age- 37 years, R/o Village-Kukuraman, PS- Pratappur, District-Chatra (Jharkhand) arising out of Salaiya PS Case no. 47/2025 pending in the court of ACJM-VII, Aurangabad under Section Muslim Women (Protection of Rights of Marriage) Act.

Sri Imteyaz Ansari, learned counsel on behalf of the petitioner stated that no bail petition had been filed either in the present Court or in the Hon'ble Patna High Court and the petitioner had criminal antecedents in Matrimonial case no. 294/2025 and Mahila Thana case no. 80/2024. The allegation made by the informant against the petitioner is false and baseless as the informant was residing with her parents since last one year and had instituted the present false case on instigation by her family members. In light of given facts, the learned Counsel prayed to grant anticipatory bail to the petitioner.

The learned A.P.P. Sri Irshad Alam vehemently opposed the anticipatory bail petition on the ground that the allegations imposed against the petitioner was serious in nature.

Heard both the sides and perused the case record.

On perusal of case record it is revealed that this case has been registered under Section Section 4 of the Muslim Women (Protection of Rights of Marriage) Act. The petitioner was husband of the informant and allegation on him is that he subjected her to physical and mental cruelty for dowry demand and he with the aid of other family members of the family ousted the informant from her matrimonial house. On the alleged day of the occurrence, the petitioner visited the house of the parents of the informant where she was residing and pronounced 'Talaq' thrice by words in presence of others. The independent witnesses of the case diary have verified that petitioner and informant had tensed relationship but had no idea about the 'Talaq' as the given incidence occurred in the parent's house of the informant and they were not present on spot. The case diary depicts that the 'Talaq' was pronounced by the petitioner in presence of mother of the informant. The petitioner is husband of the informant and it is his duty to take care of his wife in which he failed and instead gave her 'Talaq'. The record was referred for mediation but the mediation failed.

Considering the given fact, the Court is not inclined to grant anticipatory bail to the petitioner. According the anticipatory bail petition of the petitioner Raja Khan is hereby **rejected**.

Dictated by

District & Additional Sessions Judge IV,
Aurangabad (Bihar)
25.04.2026

Order Uploading date: 25.04.2026

Uploaded by : Vikul Kumar (Steno)