

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
ANTICIPATORY BAIL PETITION No. 618/2026
(Arising out of C.A. P.S. Case No. 2094/2023)

Md. Masudur Rahman

... Petitioner

Versus

The State of Bihar

... Opposite Party

Ld. Counsel for the Petitioner:-

Sri Md. Habibur Rahman, Advocate

Ld. Counsel for the State :-

Sri Panchanand Singh, APP

Date of hearing/Disposal: 22.05.2026

ORDER

An anticipatory bail petition has been filed on behalf of the accused petitioner namely (1) Md. Masudur Rahman, who is apprehending his arrest in connection with C.A. P.S. Case No. 2094/2023 for the offences registered U/S 498(A) of the I.P.C. and Section 4 of D.P. Act. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioner and the learned A.P.P. for the State.

The Ld. counsel of the petitioner have submitted that no B.P. or A.B.P. on behalf of the accused petitioner has been filed or moved before this court or before the Hon'ble High Court, Patna. The petitioner is innocent and he has not committed any offence at all and has been falsely implicated in this case. That the petitioner nor his family members ever subjected the informant to any physical or mental cruelty. That the petitioner is still willing to keep his wife with full dignity and respect. Petitioner is ready and willing to abide by the terms and conditions laid down by this court. Petitioner is ready to furnish local and solvent bailors to the court satisfaction. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of anticipatory bail filed on behalf of the above named accused petitioner and submitted that the petitioner have committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioner.

The case of the prosecution story as per fardbayan, is that the complainant was married to Md. Masudur Rahman on 30.06.2019 as per muslim customs. After one year of marriage, the accused persons allegedly started mentally and physically harassing her for additional dowry of Rs. 1,00,000/-. Accused allegedly assaulted, threatened and attempted to strangle her. It is further alleged that

accused contracted a second marriage and that on 20.06.2023, accused and his family members assaulted the complainant, snatched her jewellery and drove her out of the matrimonial home while she was pregnant. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioner and the Ld. Add.P.P. for the State and perused the LCR. From perusal of the same, it transpires C.A. Case No. 2094/2023 for the offences registered U/S 498(A) of the I.P.C. and Section 4 of D.P. Act. The marriage was solemnized in 2019 and the allegations of dowry demand and cruelty are matrimonial in nature and arose out of domestic discord between husband and wife. The petitioner is the husband of the complainant and father of three children. There is no injury report to show the physical assault. The offence is punishable for less than seven years of imprisonment. The allegation regarding second marriage is a matter of strict proof and has been made without supporting documents. That the petitioner is ready and willing to keep his wife with full dignity and honour. There is no chance of absconding or tampering with the evidence and he is ready to co-operate during investigation and trial.

Hence, considering the above facts and circumstances of the case, the present anticipatory bail petition of the above named accused petitioner is hereby **allowed** and the petitioner in the event of their arrest or surrender **within four (4) weeks of this order**, shall be admitted to bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the court.

(Sd/-)

(Sunil Kumar Singh-III)
D.A.S.J.-III, Katihar
22.05.2026