

(2025:JHHC:29105)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.89 of 2024

Farjana Parween @ Farzana Perween @ Farazana Perween, aged about 34 years, wife of Anwar Ansari, resident of Shyamaldih Basti, P.O.-Katrashgarh, P.S.-Katrash, District Dhanbad, Jharkhand.

Permanent Resident- Rail Colony, Galsi, Qtr. No.22/D, P.O. + P.S.-Galsi, Dist.-Burdwan (WB) as well as P.O.-Telo, P.S.-Nawadih, Dist.-Bokaro, Jharkhand.

... Petitioner

Versus

1. The State of Jharkhand

2. Anwar Ansari, son of Alhabu Ansari, resident of No.124, Tola Nurgaria, Village Telo, P.O. and P.S.-Chandrapura, Bokaro, Jharkhand. At present resident of Railway Colony, Galsi, Qtr. No.22/D, P.O. & P.S.-Galsi, District Burdwan, W.B.

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Md. Zaid Ahmed, Advocate

For the State : Ms. Kumari Rashmi, Addl.P.P.

For the OP 2 : Mr. Vishal Anand, Advocate

Order No:-11 Dated:-19-09-2025

Heard the parties.

This Cr.M.P. has been filed invoking the jurisdiction of this Court under Section 482 read with 439(2) of Cr.P.C. for cancellation of bail granted to the opposite party no.2 in terms of the order dated 18.10.2023 passed by this Court in A.B.A. No.6632 of 2023.

Learned counsel for the petitioner submits that the opposite party no.2 was given the privilege of anticipatory bail on the condition that he will keep and maintain the petitioner with full honor and dignity as his lawful wife and will surrender on 30.11.2023 and if the petitioner also appears on that date, opposite party no.2 will take her to his house for resuming conjugal life.

Learned counsel for the petitioner next submits that on 30.11.2023, the opposite party no.2 appeared before the trial Court and the petitioner was also present on that date in the trial Court, but after bail bond of the

opposite party no.2 was accepted, he did not take the petitioner to his house.

Today, the opposite party no.2 is physically present in this Court and submits that keeping in view the fact that the opposite party no.2 and the petitioner are living separately for seven years and the opposite party no.2 is paying monthly maintenance regularly to the petitioner, if the petitioner, in fact is interested to resume conjugal life, the opposite party no.2 is ready and willing to take her to his house at Telo and undertakes to come frequently to Telo from his present place of posting at Galsi, Burdwan, West Bengal. The petitioner has joined through video conferencing. The petitioner is not ready and willing to reside at Telo to resume conjugal life with the petitioner.

Keeping in view, the unwillingness and uncooperative attitude of the petitioner or for resumption of conjugal life with her husband, this Court is of the considered view that since there is no allegation against the opposite party no.2 of tampering with evidence or not cooperating with the trial of the case, hence, this is not a fit case where the bail granted to the opposite party no.2 in terms of the order dated 18.10.2023 passed by this Court in A.B.A. No.6632 of 2023, be cancelled.

Accordingly, this Cr.M.P., being without any merit is dismissed.

(Anil Kumar Choudhary, J.)