

(2025:JHHC:29106)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.440 of 2024

Zeba Perween, aged about 28 years, wife of Iyamin Ansari, D/o-Md. Ashan Ansari, resident of village Goush Nagar, Bagdiad Masjid, Post Kapali, Police Station-Top Kapali, District Seraikella Kharsawan.

... Petitioner

Versus

1. The State of Jharkhand
2. Iyamin Ansari @ Iyamin Ansary, son of Late Kamir Ansari, resident of Birgiri, Post Gengara, Police Station Purulia (Muffsil), District-Purulia, State West Bengal.

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Vikash Kumar, Advocate
For the State	: Mr. V.K. Vashistha, Spl.P.P.
For the OP 2	: Mr. Rajesh Kr Mishra, Advocate

Order No:-12 Dated:-19-09-2025

Heard the parties.

This Cr.M.P. has been filed invoking the jurisdiction of this Court under Section 439(2) of Cr.P.C. for cancellation of bail granted to the opposite party no.2 in terms of the order dated 08.09.2023 passed by this Court in A.B.A. No.2977 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 not have any relationship with any lady other than the petitioner.

Learned counsel for the petitioner submits that the opposite party no.2 has solemnized marriage with a lady namely Sabina Khatun on 19.09.2022, hence, the bail granted to the opposite party no.2 in terms of the order dated 08.09.2023 passed by this Court in A.B.A. No.2977 of 2023 be cancelled.

Learned counsel for the opposite party no.2 submits that the opposite party no.2 is still ready and willing to resume conjugal life with the petitioner despite his second marriage, if the petitioner is ready and

willing to resume conjugal life with him, but the learned counsel for the petitioner submits that the petitioner is not ready and willing to resume conjugal life with the opposite party no.2 because the opposite party no.2 solemnized marriage with Sabina Khatun.

Considering the aforesaid facts of the case as the petitioner is not ready and willing to resume conjugal life with the opposite party no.2 and there is no allegation against the opposite party no.2 of tampering with evidence or not cooperating with the trial of the case or absconding, hence, this court is of the considered view that this is not a fit case where the bail granted to the opposite party no.2 in terms of the order dated 08.09.2023 passed by this Court in A.B.A. No.2977 of 2023, be cancelled.

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

(Anil Kumar Choudhary, J.)