

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17293 of 2023**

Arising Out of PS. Case No.-1156 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE  
District- Samastipur

MD. ZAFAR ALAM Son of Late Md. Abbas Resident of Village -  
Chakanwada, Ward No.- 01, P.S.- Dalsingsarai, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabnam Praveen Wife of Md. Zafar Alam Daughter of Md. Meraj, At  
Presently Residing at Village - Milki, P.O.- Warisnagar Ward No.- 03, P.S.-  
Warisnagar, District - Samastipur.

... .. Opposite Party/s

**Appearance :**

|                      |   |                                       |
|----------------------|---|---------------------------------------|
| For the Petitioner/s | : | Mr. Rana Sanjay Kumar Singh, Advocate |
| For the State        | : | Mr. Sri Kanhaiya Kishore (App.100)    |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      19-09-2023                      Despite valid service of notice, nobody appears on  
behalf of the opposite party No. 2.

2. Heard learned counsel for the petitioner and the  
State.

3. The petitioner apprehends arrest in a case registered  
for the offence punishable under Section 498(A) of the Indian  
Penal Code and Section 4 of the Dowry Prohibition Act.

4. As per prosecution case, this petitioner tortured and  
harassed the complainant for non-fulfillment of demand of  
dowry.

5. It is submitted on behalf of petitioner that petitioner  
happens to be husband of the complainant and present case has  
been lodged due to petty family dispute. There is general and



omnibus allegation of commission of assault against him. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in **2006(3) PLJR 182**.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged 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, Samastipur in connection with Complaint Case No. 1156 of 2021, T.R. No. 2755 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Navya/-

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