

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45377 of 2023**

Arising Out of PS. Case No.-40 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

MD. RAQUIB ALAM, SON OF MD. NAYEEM, RESIDENT OF  
VILLAGE- BANGAPARA, PS- PAKUR, DISTT- PAKUR (JHARKHAND)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MAJIA PERVEEN, WIFE OF MD. RAQUIB, RESIDENT OF VILLAGE-  
MOHIUDDINPUR, PANKHA TOLI, PS- HABIBPUR, DISTT- PATNA

... .. Opposite Party/s

**Appearance :**

|                    |   |                               |
|--------------------|---|-------------------------------|
| For the Petitioner | : | Md. Najmul Hodda, Advocate    |
| For the State      | : | Mr. Pradeep Narain Kumar, APP |

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

3      13-12-2023                      Heard learned counsels for the parties.

2. Despite valid service of notice, nobody appears on  
behalf of Opposite Party No. 2.

3. The petitioner apprehends his arrest in a case  
registered for the offence punishable under Sections 498A, 341,  
323, 504, 506 and 34 of the Indian Penal Code and Sections 3  
and 4 of the Dowry Prohibition Act.

4. As per the prosecution case, all the F.I.R. named  
accused persons, including this petitioner, committed torture and  
harassment to informant/Opposite Party No. 2 due to non-  
fulfillment of demand of dowry.

5. It is submitted by learned counsel for the petitioner  
that the petitioner is husband of informant/Opposite Party No. 2.  
It is submitted that he never demanded any dowry and is ready



to keep his wife. Petitioner claims clean antecedents. In this connection, learned counsel for the 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 grant of anticipatory bail.

7. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 Judicial Magistrate 1<sup>st</sup> Class, Bhagalpur, in connection with Bhagalpur Mahila P.S. Case No.40 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

shashank/-

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