

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1129 of 2023**

Arising Out of PS. Case No.-279 Year-2022 Thana- COMPLAINT CASE District- Jamui

Asif @ Md. Aashif Anwar Son Of Md. Khursid @ Khursid Alam R/O  
Village- Chhajju Mohalla, Near Ambeuchki Dr. Tanveer, Bihar Shariff, P.S.-  
Bihar Shariff, District- Nalanda

... .. Petitioner

Versus

1. The State of Bihar
2. Nasima Khatoon D/O Late Md. Gyasuddin R/O Village- Adsar, P.S.- Jamui,  
District- Jamui

... .. Opposite Parties

**Appearance :**

|                    |   |                              |
|--------------------|---|------------------------------|
| For the Petitioner | : | Mr. Arun Kumar, Advocate     |
| For the State      | : | Mr. Rajesh Kumar, APP        |
| For the O.P. No. 2 | : | Mr. Amrendra Kumar, Advocate |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      15-05-2023                      Heard learned counsel for the petitioner, learned  
counsel for O.P. No. 2 and learned APP for the State.

The petitioner in the present case is seeking pre-arrest  
bail in connection with Complaint Case No. 279(C) of 2022  
registered for the offences punishable under Section 498 A of  
the Indian Penal Code and Section 3/4 of Dowry Prohibition  
Act. He has got no criminal antecedent.

Learned counsel for the petitioner submits that as per  
the prosecution story, the petitioner solemnised marriage with  
O.P. No. 2 on 21.10.2018 and after one month of the marriage,  
the petitioner and his family members started torturing O.P. No.  
2 for non-fulfilment of the demand of dowry. It is also alleged  
that the petitioner and his family members took all the



ornaments of O.P. No. 2 and forcibly dropped her at Mahisorhi Chawk, Jamui by Bolero vehicle.

Learned counsel for the petitioner submits that he is ready to keep his wife to his matrimonial home with full dignity and care.

Learned counsel for O.P. no. 2 submits that O.P. No. 2 is also ready to live with the petitioner in his house.

Having regard to the facts and circumstances of the case wherein both the parties are willing to live together, the petitioner is ready to take his wife (O.P. No. 2) to his matrimonial home and O.P. No. 2 is ready to live with him in his house, this Court directs that the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be **provisionally released on bail for a period of six months from today** in connection with Complaint Case No. 279(C) of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class Jamui, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

During this period, the petitioner will take back his wife to his matrimonial home and shall keep her with full



dignity and care. After being satisfied with his conduct, after a period of six months, the learned court below shall confirm the bail of the petitioner.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

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