

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19758 of 2024

Arising Out of PS. Case No.-96 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SHABAB ALAM @ SABAB ALAM S/o Shekh Serajul Resident of Village-
Ward No.-5, Raypatti, P.S.-Sugauli, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHABINA KHATOON W/o Shabab Alam @ Sabab Alam, d/o Mojibur Rahman Resident of Village-Khuda Nagar, Panchayat Bhataha, P.S.-Sugauli, District-East Champaran, present Address-Jatwa, P.S.-Banjariya, District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 26-06-2024
1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 498 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that from perusal of the office report dated 25.06.2024, it would manifest that the same records that A/D or undelivered registered cover of notice has not yet been received. It is further submitted that petitioner, being the husband of the opposite party no. 2, has been falsely implicated in the instant case. It is next submitted that on intervention of the well-wishers, the petitioner and the opposite party no. 2 have compromised and in pursuance of the compromise, the petitioner has



already paid an amount of Rs.2.5 lakhs to the opposite party no. 2 as has been pleaded in the supplementary affidavit. It is also submitted that no useful purpose would be served by keeping the case pending.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 96 of 2023 (Tr. No. 2305 of 2023), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the learned trial court before accepting the bail bonds of the petitioner shall verify from the opposite party no. 2/her Lawyer that as to whether the case has been compromised or not and if the opposite party no. 2 does not acknowledge the compromise in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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