

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46592 of 2024

Arising Out of PS. Case No.-470 Year-2021 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Jalaluddin @ Jamaluddin @ Md Jalauddin Son Of Md Irfan Resident Of
Village / Muhalla - Khirma, P.S. - Keoti, District - Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Farhad Parveen @ Unmat Wife Of Jalaluddin @ Jamaluddin, D/O. Faiz Ahmad Resident Of Village / Muhalla - Athara, P.S. - Keoti, District - Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Kedar Jha, Advocate
For the State	:	Mr. Gulnar Begum, APP
For O. P. No. 2	:	Mr. Ashwini Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioner and learned
APP for the State as well as Opposite Party No. 2.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Complaint Case No.-470 of 2021, filed for the offences punishable under Sections 341, 323 and 498 (A) of the Indian Penal Code.

3. As per allegation, the petitioner has subjected the complainant/wife to cruelty after marriage on account of non-fulfillment of demand of dowry.

4. Learned counsel for the Petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that on account of matrimonial discord the present case has been filed. However, the matter has been compromised and settled with the complainant/wife.

5. Learned counsel for the complainant/wife also submits that the matter has been settled between the parties and the complainant/wife has no objection for grant of anticipatory bail to the petitioner/husband.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated in paragraph no.3 of the bail petition that the petitioner has been made accused in another case bearing Keoti P.S. Case No. 136 of 2020 for the offences under Sections 341, 323, 498(A)/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

8. However, learned counsel for the Opposite Party No. 2 and learned APP for the State vehemently oppose the prayer of the Petitioner for anticipatory bail.

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Darbhanga, in connection with Complaint Case No.-470 of 2021, subject to the conditions as laid down under Section 438 (2) Cr. PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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