

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3282 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Md. Naushad Alam Son of Md. Safiruddin Resident of Chandrama Tola,
Mongara, Dalan P.S. Katihar (Mufassil), District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Nasrin khatoon Wife of Md. Naushad Alam , Daughter of Md. Mokhtar
Resident of Chhatiya P.S. Sadar (Muffasil), District- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Singh, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 22-11-2024 Heard learned Counsel for the petitioner, State and
the informant.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 43 of 2023 for the offence registered
under sections 498A, 323, 376/511 and 504 of the IPC.

3. Pursuant to the last two orders, the couple is present
and the lady is pregnant by six months, she still has some
grievances inasmuch as the petitioner has not taken her to any
doctor when she came into pregnancy.

4. Learned Counsel for the petitioner submits that he
shall be immediately taking her to the Katihar Medical College
and Hospital and will get a registration paper maintained in her



name so that at the time of delivery, the same is helpful. Additionally, he shall also be taking the lady to any known medical practitioner for advice and/or needful.

5. Taking into account the aforesaid facts as also that the lady is pregnant and is going to give birth to a child three months later, the minor issues are there, the couple can get out of it and the lady always has the option of filing petition for cancellation of bail, if needed, on that note, the anticipatory bail petition stands allowed.

6. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Purnea in connection with Complaint Case No. 43 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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