

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15698 of 2025

Arising Out of PS. Case No.-859 Year-2024 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Md. Shahjada Hussain @ Sahjada Hussain Son of Md. Israil Resident of
Village - Sijua Jagta More, P.S. - Jogta, District - Dhanbad, State - Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Safina Khatun Wife of Md. Shahjada Hussain, Daughter of Md. Hadish
Resident of Village - Purushottampur Annu, P.S. - Khanpur, District -
Samastipur. At present - Resident of Village - Sijua Jogta More, P.S. - Jogta,
District - Dhanbad, State - Jharkhand

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 23-07-2025 Heard Mr. Pramod Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Anant Kumar 1,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 859 of 2024 registered under Sections
341, 323, 354, 379, 498(A), 509 of the Indian Penal Code and
Sections 3/4 of the D.P. Act.

3. Allegation against the petitioner is to have assaulted
the opposite party no.2 for non-fulfillment of demand of dowry.

4. At the outset, learned counsel appearing on behalf
of the petitioner submitted that the petitioner is ready to keep his



wife along with him with full dignity at Dhanbad, which is his place of work.

5. Ms. Jyoti Kumari, learned counsel appearing on behalf of the complainant submitted that she has received instruction from the complainant (wife of the petitioner) that she is also ready to live along with the petitioner at Dhanband, so that, their child can receive their love and affection. She further informed that the complainant will also accompany the petitioner on the day he will furnish his bail bond, and she will also appear before the concerned learned District Court.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

7. Considering the desire of both the parties that to resolve their matrimonial dispute and to give their love and affection to their child they are willing to live together, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

8. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the



satisfaction of learned Sub-Divisional Judicial Magistrate,
Samastipur, District - Samastipur in connection with Complaint
Case No. 859 of 2024, subject to the condition as laid down
under Section 482 of BNSS.

**9. In case of failure, on the part of complainant,
this order will remain intact.**

(Purnendu Singh, J)

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