

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23839 of 2025

Arising Out of PS. Case No.-1221 Year-2024 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ejaj Alam Son of Md. Shamshad R/o Village - Madhodih, P.O.- Satanpur,
Police Station - Ujiyarpur, District - Samastipur, Bihar. Presently residing at
Vishnupur Burhosiptalla, Police Station - Rajarhaat, Kolkata, West Bengal.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afrin Farhat Wife of Ejaj Alam Daughter of Md. Mansoor Alam, Resident of
Village and P.O.- Tajpur, Ward No.- 24, District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Niraj Lochan Jha, Advocate
For the State	:	Mrs. Veena Kumari Jaiswal, APP
For the O.P. No.2	:	Mr. Dilip Kumar Roy, Advocate
	:	Ms. Rekha Ranjan Prasad, Advocate
	:	Ms. Sonia Narayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 1221 of 2024 registered for the offence under Sections 498(A) of the Indian Penal Code, lodged by the complainant Afreen Farhat.

3. As per the prosecution story, the complainant alleged that the marriage took place in the year 2020 but was tortured for dowry and allegation is that she had miscarriage due to the said torture. Ultimately, the complaint.

4. The matter was earlier sent to the Mediation Centre and as per the report, the couple wanted to settle the matter.



5. Today, on call, both the parties have agreed that the petitioner shall be visiting the home of the lady within a week, shall take her back with full dignity and honour and will keep her alongwith him at his working place.

6. Learned counsel for the informant submits that if he is giving such an undertaking and is ready to keep her with dignity and honour, the lady on his visit shall be moving to her in-laws house.

7. Considering the submission of the parties as also the aforesaid facts, this Court is inclined to extend the privilege of anticipatory bail to the petitioner subject to the condition that at the time of execution of bail bond, the lady shall be present alongwith the petitioner and the court shall enquire from her as to whether she has been treated well or not.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Samastipur, in connection with Complaint Case No. 1221 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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/her 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 bail bonds.

(Rajiv Roy, J)

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