

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36704 of 2025

Arising Out of PS. Case No.-49 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Md. Majabbir @ Md. Mojabbir @ Mohammad Mojabbir S/O Late Md. Anwar @ Late Natho @ Anwar R/O Village- Pabra, Ward No. 05, P.S- Cheriya Bariyarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gulfashan Khatoon W/O Md. Majabbir @ Md. Mojabbir @ Mohammad Mojabbir, D/O Md. Sarmad R/O Village- Laruara, P.S- Mufasil Singhoul O.P., Dist.- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s :	Mr. Jitendra Kumar Singh, APP
For the complainant :	Md. Abu Shajar, Advocate
	Md. Abu Haider, Advocate
	Md. Nazir Ansari, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 28-11-2025 Heard Sandip Kumar Gautam, learned counsel for the petitioner and Md. Nazir Ansari, learned counsel representing the opposite party no.2.

2. The petitioner is apprehending arrest in connection with Complaint Case No. 49C of 2023 instituted under Sections 498(A), 406, 341, 323, 504, 506, 34 of the Indian Penal Code filed by the complainant, Gulfashan Khatoon.

3. As per the complainant, the allegation is that the marriage took place on 15.02.2020 but she was tortured for dowry and finally ousted from the house. A Panchayati took



place but they chose to look the other way which followed the complaint.

4. In this case, the Court tried its best to settle the matter and in between, the couple also presented themselves in the Court but it seems that the matter cannot be resolved.

5. Further, on instruction, the petitioner submits that she is legally wedded wife, he is ready to pay Rs.6000/- per month which will go to the account of the complainant by 10th of every month.

6. The allegation is there, the petitioner shall be facing the trial, an undertaking has been given that he shall be paying Rs.6000/- per month to the lady by 10th of every month, in that background, this Court is inclined to extend him the privilege of anticipatory bail. Further, if the petitioner fails to pay the amount by 10th of every month, the lady shall be free to take steps for cancellation of bail bonds.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Complaint Case No. 49C of 2023 to the satisfaction of learned Judicial Magistrate-



1st Class, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 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 his bail bonds.

(Rajiv Roy, J)

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