

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61258 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- AAJAM NAGAR District- Katihar

Md. Mohfij Alam @ Md. Mofiz Alam @ Md. Mofij @ Mofiz Alam Son of
Late Matiur Rahman R/o village - Salmari, Masjid Chowk, P.S.- Salmari,
Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Md Qumrul Hoda, Advocate
For the Opposite Party/s :	Mr.Sanjay Kumar Singh, APP
	Mr. Deo Narayan Prasad, Advocate
	Mr. Shahabuddin Azeem @ S. Azeem, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-09-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Azamnagar P.S. Case no. 222 of 2024, registered under sections 498A, 341, 323, 354B, 504, 506 and 34 of the Indian Penal Code and sections 3 and 4 of the D.P. Act.

3. As per the prosecution case, the informant states that she was married to Nadeem Akhtar on 14.5.2022. It later transpired that her husband was having an illicit affair with his brother's wife. It is further stated that the accused persons were assaulting and threatening her including the petitioner herein who happens to be the husband of the informant's husband's



sister. Her husband also made an attempt to burn her and demanded Rs.10 lacs. The informant further states that the petitioner tried to force himself upon her. On *hulla* being raised, he escaped.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He happens to be the husband of the sister of the informant's husband. He has no concern with the family affairs of the informant or her husband. From the contents of the FIR, it would be evident that the allegations are more ornamental in nature and have been made only to falsely implicate all the family members of her husband. The petitioner who has no criminal antecedent undertakes to cooperate in the investigation.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the FIR but there is direct allegation against him of physical and mental torture. The application for anticipatory bail be rejected.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., the relationship of the petitioner being the *nandosi*



(brother-in-law) of the informant and especially the petitioner not having any criminal antecedent, in the facts of the case, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Azamnagar P.S. Case no. 222 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

