

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77330 of 2024

Arising Out of PS. Case No.-229 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

Md. Istiyaque Alam @ Istiyaque Alam Son of Naiyer Alam R/O- Village-
Sarigura, P.S.- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Anjar Alam S/o Late Habibur Rahman R/o Santha, Ward No.4, P.S.-
Kochadhaman, District- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Firoz Ahmad, Adv.
For the State	:	Mrs. Gulnar Begum, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 03-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. Despite issuance of notice, nobody appears on behalf
of the informant.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341,
498A, 504, 506, 34 of the Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act.

4. The FIR discloses an allegation that after marriage
with the daughter of the informant, the petitioner was
threatening his wife on mobile with regard to demand of
dowry.



5. Learned counsel for the petitioner submits that it would be apparent from the FIR itself that although the marriage had been performed between the parties, but *rukhsati* had never taken place and hence, there is no question of any torture having being inflicted upon the informant. However, there is an allegation of threatening etc., over mobile phone and a proceeding under Section 107 was also instituted between the parties as would be evident from the FIR. It is further submitted that the petitioner is ready to perform his part of the marital obligations and also to take his wife along with him and keep her with due dignity and honour.

6. Learned APP for the State, however, opposes the prayer for anticipatory bail.

7. Considering the entire facts and circumstances, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kochadhaman P.S. Case No. 229 of 2020, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS,
2023.

(Soni Shrivastava, J)

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