

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73784 of 2023

Arising Out of PS. Case No.-2537 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Md. Iftakhar Alam @ Iftakhar Alam son of Tamanna Khan Mohalla- Kasai
Mohalla, W.No- 29, P.S- K.Hat Sahayan Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nagma Khatoon wife of Md. Iftakhar Alam @ Iftakhar Alam, D/o- Md.
Islamuddin Village- Rampur Ps- K.Nagar Dist- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Hussain, Advocate
For the Complainant	:	Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 02-07-2025 Heard Mr. Md. Hussain, learned counsel for the

petitioner, Mr. Ajit Kumar Singh, learned counsel for the

Complainant and Mr. Bishweshwar Ram, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 2537 of 2022, registered for
the offences punishable under Sections 498(A) and 323 of the
Indian Penal Code.

3. Allegation against the petitioner is of demand of
dowry and torture for the same.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely implicated



in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition. In fact, the petitioner has already informed the complainant about his first wife and despite of that the complainant has performed the second marriage with the petitioner.

5. Vide order dated 29.02.2024, the matter was referred before the Patna High Court, Mediation Centre for amicable settlement of dispute between the parties. Report of the learned Mediator dated 03.04.2024 reveals that dispute between the parties could not be resolved.

6. Learned counsel for the Complainant, on the other hand, has opposed the prayer for anticipatory bail of the petitioner and submits on the basis of instruction that the complainant is not ready to live with the petitioner.

7. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnea in connection with



Complaint Case No. 2537 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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