

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85477 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Istekhar @ Md. Istekhar @ Md. Istakhar Alam S/O Md. Jibbarul Hak @ Md. Jibbarul Haque Resident of Village- Shambhunagar, P.S- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mahbooba Fatima @ Mahbuba Fatama W/O md. Istekhar @ Md. Istekhar R/O Villag-e Shambhunagar, P.S- Runnisaidpur, Distt.- Sitamarhi. A/P- D/O Md. Mustufa, R/O Village- Baliya, P.S- Aurai, Distt.- Muzaffarpur.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 86679 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Md. Irfan S/o Md. Jibbarul Hak @ Md. Jibbarul Haque Resident of Village - Shambhunagar, PS- Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mahbooba Fatima @ Mahbuba Fatama W/o Md. Istekhar @ Md. Istekhar R/o vill - Shambhunagar, P.S. - Runnisaidpur, Distt.- Sitamarhi

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 85477 of 2024)

For the Petitioner/s	:	Mr.Dinesh Jha, Adv.
For the State	:	Mr.Mritunjay Kumar Nirala, APP
For the O.P. No. 2	:	Mr. Md. Anisur Rahman, Adv.
		Mr. Md. Khalid Anwar, Adv.

(In CRIMINAL MISCELLANEOUS No. 86679 of 2024)

For the Petitioner/s	:	Mr.Dinesh Jha
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

9 25-09-2025 Both these cases arise out of the same case i.e. Runni Saidpur P.S. Case No. 195 of 2024 and accordingly, they are



being heard together and disposed of with this common order.

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 313, 498(A), 376, 506/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

3. As per allegation, the marriage of the informant was solemnized with the petitioner (in Cr. Misc. No. 85477 of 2024) and thereafter, she was subjected to cruelty by the accused persons due to non-fulfillment of demand of a Scorpio in dowry. The petitioner (in Cr. Misc. No. 85477 of 2024) who is husband of the informant used to give her medicine of abortion and to make vulgar video at the time of making physical relation with her. It is also alleged against the petitioner (in Cr. Misc. No. 85477 of 2024) that he took the informant to Kolkata where she was involved by her husband in brothel and on refusal, she was assaulted.

4. Learned counsel on behalf of the petitioners has submitted that the petitioners are the persons of clean antecedent. The allegation is general and omnibus. The petitioner (in Cr. Misc. No. 85477 of 2024) is husband whereas the petitioner (in Cr. Misc. No. 86679 of 2024) is younger



brother-in-law (Devar) of the informant.

5. Learned counsel for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid fact that the petitioner, Md. Irfan (petitioner in Cr. Misc. No. 86679 of 2024) is devar of the informant, let he in the event of arrest/surrender before the learned court below within a period of four weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Runni Saidpur P.S. Case No. 195 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. So far as the petitioner (in Cr. Misc. No. 85477 of 2024) is concerned, he is husband of the informant and heinous allegation of getting the informant involved in brothel, has been levelled against him, he does not deserve the privilege of anticipatory bail and accordingly, the same is rejected.

(Nawneet Kumar Pandey, J)

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