

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24918 of 2026

Arising Out of PS. Case No.-487 Year-2023 Thana- COMPLAINT CASE - NAUGACHIA
District- Bhagalpur

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Aftab Alam @ Md. Aftab S/o Ajabul Haque Resident of Village- Tingachhia
Satsang Aashram Ward No. 44, Near Rozitpur Masjid Katihar, P.S.- Katihar
Town, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruksar Khatoon W/o Md. Aftab @ Aftab Alam, Do Md. Nazam Mansoori
R/o vill - Mumtaz mohalla Naugachhia, P.S.- Naugachhia, Dist.- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Musowir, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 20-07-2026 Heard the parties.

2. The petitioner is apprehending arrest in connection
with C.A. Case No. 487 of 2023 instituted under Sections 323,
324, 325, 307, 313, 504/34 of the Indian Penal Code and 3/4 of
D.P. Act and 27 of the Arms Act.

3. As per the complaint, the marriage took place in the
year 2023, she was regularly assaulted and this also led to
miscarriage. Later, she was thrown out for want of dowry.

4. In this case, notice was issued to opposite party
no.2. The report shows that it has been validly served but there
is no appearance.

4. Learned counsel for the petitioner submits that



contrary to the complaint, he still want his wife to return home, has no criminal antecedent and till she returns, he on his own would like to contribute Rs.5000/- per month to her which shall be paid in her account on 10th of every month. Failure to do so, if relief granted, steps can be taken for cancellation of bail.

5. Learned APP opposes the prayer submitting that the record shows that she was assaulted resulting into miscarriage.

6. Though, there is allegation against this petitioner and the same is deprecable, in view of the fact that he still want the lady to return and till then want to help her monetarily, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.5000/- to her which shall be paid in her account on 10th of every month

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned 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 C.A. Case No. 487 of 2023 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Naugachia, Bhagalpur 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 (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) 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;

(iv) 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;

(v) 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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