

IN THE COURT OF SATYA BHUSHAN ARYA, SESSIONS JUDGE, BANKA

Md. Sadakat & Ors. Versus State of Bihar

Anticipatory Bail Petition No. 850 of 2026

Date of filing : 19.06.2026

Date of order : 25.08.2026

In the matter of :

1. Md. Sadakat, son of Md. Uddin, aged about 45 years

2. Biwi Nushro wife of Md. Sadakat, aged about 41 years

3. Md. Hifazat son of Md. Uddin, aged about 30 years

4. Md. Shaukat son of Md. Sadakata, aged about 20 years

All resident of village Porain, p.o. Bhurna, p.s. Bounsi, district Banka

..... Petitioners

-Versus-

1. State of Bihar

2. Aafreen Khatoon wife of Md. Ibadat Hussain, resident of village Porain, p.s. Bounsi, district Banka, and presently resided at daughter of Md. Shamshi of village Baliyas, p.s. Dhankund, district Banka

.....Opposite Party

Present : - Sri Purushottam, Advocate for the Petitioners

Sri Hira Lal Singh, Public Prosecutor for the State

Sri Himanshu Kumar Jha, Advocate for the O.P. No. 2

ORDER

1. Apprehending arrest the petitioners have preferred this pre-arrest bail application who are booked in Complaint Case No. 1651 of 2025, for the offence allegedly committed under Sections 85 and 3(5) of BNS.

2. The case of prosecution is engendered upon a complaint filed by one Aafrin Khatoon with the allegations that her marriage was solemnized on 29.06.2025, according to Muslim rites and ceremonies in presence of family members and villagers. Albeit sufficient dowry was given in the marriage, yet she was subjected to cruelty for want of more i.e. two lakh cash and a motorcycle. On 15.07.2025, the family members of her parental side went to the house of accused persons and tried to make them understand, but they could not be convinced and ultimately, on 18.07.2025, husband Ibadat Husain, mother-in-law Bibi Nusro, father-in-law Md. Sadakat, uncle-in-law Md. Hifajat started abusing and maltreating her and she was ousted of the house with condition to bring Rs. 2 lakh cash and a motorcycle.

3. Upon notice, the opposite party no. 2 appeared in person along with her

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counsel.

4. *In oral arguments, learned counsel for the petitioners submitted that they have falsely been implicated in this case whereas they are in-laws of the complainant. In fact, they have nothing to do with alleged demand of dowry.*

5. *In counter, learned Public Prosecutor for the State opposed the pre-arrest bail application.*

6. *Heard rival submissions and perused the record. Keeping in view the above facts and that the accused/petitioners are in-laws of the complainant, this court is inclined to grant the petitioners privilege of bail; resultantly, it is allowed. It is, therefore, ordered that upon arrest or surrender of the petitioners within fortnight of receiving the instant order the petitioners be admitted to anticipatory bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of trial court subject to condition as laid down under Section 482(2) of the BNSS. Out of the two sureties, one will be of the same village or close relative of petitioners. The petitioners will file an undertaking that they will personally appear on each and every date of hearing before the learned trial court, in case of their third default, the bail will be cancelled.*

7. *File be consigned to the record room and that of trial court be sent back with a copy of this order.*

(Dictated)

(Satya Bhushan Arya)
Sessions Judge, Banka