

The Court of Addl. Sessions Judge-Ist, Kishanganj
Anticipatory Bail Petition No. - 644 /2025
(Dighalbank P.S. case no. 171/ 2025)

Present : Suresh Kumar Singh II
Addl. Sessions Judge-Ist, Kishanganj

Sarfaraz Alam

..... (Petitioner)

Vs.

The State of Bihar

..... (Opposite Party)

For the Petitioner	:	Sri Imteyaz Ali	(Advocate)
For the State	:	Sri Suren Prasad Saha	(A.P. P.)

18-03-2026 1. Heard learned counsel for the petitioner namely, Sarfaraz Alam, who is apprehending his arrest in connection with Dighalbank P.S. case no. 171/ 2025, registered u/s 126(2), 115(2), 356, 79, 77, 85, 351(2), 352, 3(5) of BNS and 67 of I.T. Act. Also heard learned P. P. for the State.

2. Prosecution case is brief as per written report of informant is that she was married with petitioner one and half years prior to the filling of this case and she has two children with her wedlock. Sometimes prior her husband started her torturing and harassing for dowry and ousted her from his house on 23.10.2024. She filled a cse in Mahila Police Station, Kishanganj vide of Mahila P.S. Case No. 08/2025 on 10.02.2025 in which charge-sheet filed on 27.04.2025 in that case husband of the informant got bail and after that he started posting indecent photographs of the informant after creating a fake account and in the society. He is spreading humor that the informant is prosetute about one and half months ago. The petitioner threatened the informant that he will kill her after she does not withdraw the earlier case. On 01.09.2025 the petitioner and his father called the informant at their house. When she reached there with their father they demanded Rs. 5,00,000/- cash and said that the withdraw the earlier case. When the informant and her father refused then the petitioner and his family members abused and assaulted them. On the basis of written report of the informant Dighalbank P.S. Case No. 171/2025 was registered.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has not committed any offence. He has been falsely implicated in this case. Entire allegations made in the FIR are totally false, fabricated and concocted. Petitioner is husband of the informant's Chandtara Khatoon. Ealier the informant lodged a FIR against the petitioner Mahila P.S.

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Case No. 08/2025. The petitioner is ready to keep her wife with full dignity and love. The petitioner never sent and absence photo the informant hence the section 67 and informant Act/ section 77, 79 BNS does not attract against the petitioner. The section 85 of BNS is also not made out because petitioner and its relative does not demand any dowry and rest all the sections are bailable in nature.

4. Learned P. P. has opposed the prayer for bail.

5. From perusal of record it transpires that the petitioner is husband of the informant and there is allegation that he assaulted and tortured the informant for demand for dowry and posted nude photographs girls of posing to be the photograph of the informant on social media. At the time of hearing the informant was present in the Court and said that she is ready to reside with the petitioner but after giving several chances the petitioner did not appeared in the Court and his Ld. Lawyer said that the petitioner is not ready to keep the informant as his wife. Allegation against the petitioner is serious in nature.

6. Considering the aforesaid facts and circumstances and nature of allegation, this court does not find it to be a fit case for extending the privilege of anticipatory bail to the petitioner and as such the prayer for anticipatory bail of the petitioner Sarfaraz Alam is hereby **rejected**.

Dictated

Sd/-

Suresh Kumar Singh II
Addl. Sessions Judge-1st
Kishanganj

Date of Judgment/Order	18-03-2026
Date of Reserving Judgment/Order	18-03-2026
Uploading Date	19-03-2026
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