

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39542 of 2013

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1. Md. Abuzar S/O Late Md. Sharfi
..... Petitioner/s

Versus

1. The State Of Bihar
..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 24-12-2013 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 118 of 2012 registered for the offences
punishable under Sections 147, 323, 341, 498A of the Indian Penal
Code and ¾ of Dowry Prohibition Act.

Petitioner is husband of the informant and
submission on his behalf is that he has already divorced the
informant which is evident from perusal of Annexure-2 to this
petition and furthermore, by the order of the court, petitioner is
paying maintenance amount to the informant.

From perusal of impugned order, it would appear that
the learned Sessions Judge attempted to explore the possibilities of
reconciliation but in spite of direction of learned Sessions Judge,

petitioner did not appear before the court. Moreover, there is serious allegation of torturing against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for anticipatory bail in connection with Mahila P.S. Case No. 118 of 2012 pending in the court of Chief Judicial Magistrate, Darbhanga stands rejected.

However, it is made clear that if petitioner surrenders before the court below within six weeks from the date of rejection order and seeks regular bail, the learned court below shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this order.

(Hemant Kumar Srivastava, J)

SHAHZAD/-