

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19444 of 2015

Arising Out of PS.Case No. -390 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Nawaj Ahmad son of Abu Zafar, resident of village- Damla, P.S.- Bisfi,
District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Arshabari @ Daisy wife of Md. Zakir Hussain, resident of Singhania
Chowk, P.S.- Madhubani, District- Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey

For the Opposite Party/s : Mr. Nand Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 23-07-2015 Heard learned counsel for the petitioner, learned

counsel representing the State and learned counsel for opposite

party no. 2.

Petitioner apprehends his arrest in C.R. No. 390 of

2014 in which cognizance has been taken under Sections 323, 379,

498A, 504/34 of the Indian Penal Code.

The complainant was married with the petitioner and

due to non-fulfillment of demand of rupees one lakh started

torturing her mentally and physically and ultimately ousted her

with two children from the in-laws house after retaining all her

articles.

Submission is of false implication and that the complainant is a lady of bad character which is evident from annexures-2 and 3 which is a complaint case and matrimonial case filed by the petitioner and one Jakir Hussain respectively and both are claiming the complainant as his wife and, as such, the petitioner being falsely implicated deserves sympathetic consideration to which the learned APP duly assisted by learned counsel for the complainant opposes by submitting that the petitioner assaulted the complainant in court premises also for which a case was lodged and the cases vide annexures 2 and 3 have been got filed by the petitioner through his friend only with a view to save his own skin. The petitioner got signature of the complainant on plain paper on the pretext of applying for loan, the brother of the complainant tried his best to settle the matter but the petitioner is not ready to compromise the case.

Considering the submissions aforesaid, noticing the allegation attributed against the petitioner and further noticing that he is the husband, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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