

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46391 of 2014

Arising Out of PS.Case No. -250 Year- 2013 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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Abul Qais @ Md. Abul Qais son of Md. Idris, resident of village Kharua,
P.S.- Sadar , District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Azmati Khatoon wife of Abdul Qais daughter of Md. Zahir, resident of
village-Nawtolia, P.S.-Bahera, District- Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

3 24-06-2015 Heard learned counsel for the petitioner, learned counsel

for the State and learned counsel appearing on behalf of opposite

party no.2.

The petitioners seek anticipatory bail in connection
with C.R. No.250 of 2013 in which cognizance has been taken for
the offences punishable under sections 498A, 341 and 323 of the
Indian Penal Code.

It has been contended that the entire allegations made
in the complaint petition are false and fabricated. The alleged
marriage had taken place six years before institution of the
complaint. Though the complainant alleges that she was abused,

assaulted and kicked out of her matrimonial home on 10.7.2013 but the complaint has been instituted on 1.10.2013 and no reasonable explanation has been given for the undue delay caused in filing the complaint.

On the other hand, learned counsel for opposite party no.2 has vehemently opposed the prayer for grant of anticipatory bail. He has submitted that the complainant was subjected to cruelty for non-fulfillment of demand of dowry by her husband and in-laws right from the day of marriage and when the complainant was assaulted and kicked out of her matrimonial home, she filed the complaint before the learned Additional Chief Judicial Magistrate, Benipur, Darbhanga.

Regard being had to the facts and circumstances of the case, the provisional bail granted to the petitioner named above vide order dated 10.4.2015 is hereby confirmed.

(Ashwani Kumar Singh, J)

Md.S./-

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