

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46411 of 2014

Arising Out of PS.Case No. -2472 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Jakkar Ali son of Late Ahmad Ali, resident of village- Lalganj, Police
Station- Prampur, O.P. (Roshna), Post Office- Mhadevpur, District Katihar

.... Petitioner/s

Versus

1. The State of Bihar

2. Bibi Manur Khatoon wife of Md. Jakkar Ali daughter of Parjan Ali,
resident of village-Kastahawar, P.S. Manihari P.O.- Sahja, District Ktihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Patil, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

3 08-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

None appears on behalf of opposite party no.2.

Apprehending arrest in connection with Complaint Case
No.2472 of 2013 in which cognizance has been taken under
section 498A read with 34 of the Indian Penal Code, the petitioner
seeks bail. By order dated 10.4.2015 while issuing notice to
opposite party no.2, the petitioner was granted provisional
anticipatory bail.

It has been contended that the allegations made in the
complaint are false. The complainant was never subjected to

cruelty in her matrimonial home and the present complaint has been filed due to matrimonial discord and incompatibility.

On the other hand, learned counsel for State has pointed out that the victim was kept well in her matrimonial home only for five days and, thereafter, atrocities started upon her. The petitioner being husband of the complainant subjected her to cruelty in various ways for not fulfillment of demand of dowry and ousted her from the matrimonial home within two months of the marriage.

Regard being had to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail is rejected.

The interim order dated 10.4.2015 passed by this Court is vacated.

(Ashwani Kumar Singh, J)

Md.S./-

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