

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23989 of 2014

Arising Out of PS.Case No. -3869 Year- 2012 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Md. Afroz S/o Md. Motin Khalifa Resident of Village + P.O. + P.S.
Mohiuddin Nagar, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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

ORAL ORDER

4 15-01-2015

Heard the parties.

This is an application for anticipatory bail for the
offence punishable under sections 498 (A) of the I.P.C.

The complainant was married with the petitioner on
28.12.2002 and after marriage she went to her Sasural where the
petitioner and mother-in-law started demanding motorcycle and
Godrej Almirah by way of dowry but due to non fulfillment of
dowry she was subjected to torture and cruelty in various ways.
She was also blessed with one son and daughter. Lastly, on
20.8.2012 the petitioner and others ousted her from the
matrimonial house after snatching her all belongings.

Submission is that the petitioner is innocent and all

allegations are baseless. The petitioner has given Talak on Phone. There is no relationship of husband and wife between the petitioner and the informant. The learned A.P.P. opposes the prayer for pre-arrest bail.

As the petitioner is the husband and as such this Court is not persuaded to grant privilege of pre-arrest bail to the petitioner. Accordingly, such prayer of the petitioner stands rejected in connection with Complaint Case No. 3869 © of 2012 pending in the court of S.D.J.M Vaishali at Hajipur.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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