

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22110 of 2015

Arising Out of PS.Case No. -93 Year- 2014 Thana -VIJAYPUR District- GOPALGANJ

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Rizwan Shah son of Hafiz Shah resident of village- Shekhpur, P.S.-
Tarkulwa, Distt.- Kushinagar (UP).

.... Petitioner

Versus

1. The State of Bihar.
2. Shayada Khatoon wife of Rizwan Shah, daughter of Niyaj Ahmad Shah
resident of village- Shekhpur, P.S.- Tarkhulwa, Distt.- Kushinagar Presently
residing of Village- Sudamachak, P.S.- Vijaipur, Distt.- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Anirudh Kumar Verma, Advocate.
For the Opposite Parties : Mr. Satyendra Narayan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-10-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498(A), 406 and 504
and 34 of the Indian Penal Code and under Sections 3/4 of the
Dowry Prohibition Act.

The wife of the petitioner made allegation of demand of
dowry and torture against the petitioner. The complainant was
married with the petitioner in the year 2011. It is alleged that
immediately thereafter the petitioner started subjecting her to
physical and mental torture due to non-fulfillment of demand of
dowry and ultimately the complainant was driven out from the
house on 05.03.2014.

Learned counsel for the petitioner submits that the petitioner is ready to keep his wife.

On the other hand learned counsel for the complainant submits that the petitioner has already solemnized second marriage and reconciliation was held in the chamber of the learned Sessions Judge, but the petitioner refused to keep the complainant.

Having considered the facts that there is allegation against the petitioner that he subjected his wife to physical and mental torture and has already solemnized second marriage, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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