

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29404 of 2014

Arising Out of PS.Case No. -205 Year- 2013 Thana -BISFI District- MADHUBANI

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1. Md. Shahid Javed S/o Md. Shivgatulla Resident of Village Banka, P.S.
Basfi, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rabiya Khatoon

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

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

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

6 21-01-2015 Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest in a case punishable for the offence under sections 341, 323, 504 and 498 (A) 34 of the I.P.C. and section 3/4 of the Dowry Prohibition Act.

Allegedly the petitioner being husband of the informant started demanding dowry by way of Rs. 60,000/- for purchasing motorcycle and due to non fulfillment tortured her and lastly ousted her from in-laws house.

Submission is that as a matter of fact the petitioner is ready to keep her with all dignity and comfort but she is not ready to live and she is putting pressure to live as *Gharjamai* which is

not acceptable to the petitioner.

The learned A.P.P. opposes the prayer for pre-arrest bail of the petitioner by submitting that the petitioner is husband and against him there is allegation of demanding dowry.

In the facts and circumstances as stated above, considering that there is allegation for demanding dowry and the petitioner is husband and as such this Court is not inclined to grant anticipatory bail to the petitioner and accordingly such prayer of the petitioner stands rejected in connection with Bisfi (Patauna) P.S. Case No. 205 of 2013 pending in the Court of S.D.J.M. Madhubani.

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

(Jitendra Mohan Sharma, J)

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