

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42928 of 2014

Arising Out of PS.Case No. -2223 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Sadab Alam, Late Zainuddin, R/o Village-Bijole, P.S.- Balrampur,
District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Arshadi Khatoon, D/o Late Irshad, R/o Village Masanpur, P.S.
Barsoi, Distt. Katihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Najeeb Ahmad, Advocate.

For the Opposite Party/s : Mr. Narendra Kr. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 27-07-2015

Heard both sides.

The petitioner apprehends his arrest in a case under Sections 323, 498A of the Indian Penal Code and Sections 3 / 4 of the D.P. Act.

The complainant-wife has made specific allegations of demand of dowry and torture against the petitioner. Learned counsel for the petitioner submits that the complainant herself stated on her solemn affirmation that after the marriage, she never went to her Sasural. It is submitted that the allegations of demand of dowry and torture are false and concocted. The petitioner is 15 years old and the complainant is 30 years old.

On the other hand, learned counsel for the complainant vehemently opposed the prayer for anticipatory bail.

The complainant has made specific allegations of demand of dowry and torture against the petitioner. The petitioner denied that the marriage was ever solemnized with the complainant. It is submitted that the petitioner never filed any case for dissolution of marriage.

In view of the nature of allegations made against the petitioner and now the petitioner repudiates his marriage with the complainant, I am not inclined to enlarge the petitioner on anticipatory bail in Complaint Case No. 2223 of 2013. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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