

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15541 of 2016

Arising Out of PS.Case No. -246 Year- 2002 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Mohmad Jaafar Ali, son of Sattar @ Md. Sattar, resident of Village-
Temtha, P.S.-Parbatta, District-Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary

For the Opposite Party/s : Mr. Iftekhar Mahmood (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-04-2016

Petitioner being husband of the daughter of

the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 304B, 201 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The prosecution case is that the daughter of the complainant was married with the petitioner on 25.01.2000 but she was killed on 13.04.2002 for non-fulfilment of dowry demand and her dead body was disposed of.

It is submitted by learned counsel for the petitioner that complaint was filed in 2002 and the order of cognizance was passed on 18.01.2003 but never any process was served and ultimately non-bailable warrant of arrest was issued on 15.10.2014. The victim died due to the pregnancy complications and she was provided adequate medical facilities.

Considering the fact that petitioner is husband and complaint was filed in 2002, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Let learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 246C of 2002, pending in the Court of learned Sub-Divisional Judicial Magistrate, Khagaria.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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