

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23785 of 2016

Arising Out of PS.Case No. -331 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

Md. Saghir Ahmad aged about 32 years Son of Md. Noor Alam Rahi
resident of "Rahi Manzil " Khan Mirja Mohalla P.S. Sultanganj District
Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saniya Afzal aged about 25 years Daughter of Md. Afzal Hussain and
Wife of Md. Sagir Ahmad resident of Mohalla Khanmirza, P.O. -
Mahendru, PS- Sultanganj District Patna- 800006

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Rafi Ahmad
For the Opposite Party/s : Mr. Ram Anurag Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 08-11-2016 Heard Sri Md. Rafi Ahmad, learned counsel for the

petitioner , Sri Ram Anurag Singh, learned Additional Public

Prosecutor and Mr. Md. Anish Akhtar, learned counsel who has

appeared on behalf of the complainant/ opposite party no. 2.

The petitioner, husband of the complainant/ opposite
party no. 2 has approached this court for grant of anticipatory
bail with apprehension of being arrested in Complaint Case C.A.
Case No. 331 of 2015 in which cognizance has been taken for
offence under Section 498(A) of the Indian Penal Code . By way
of referring to Annexure- II to the present petition it was
submitted by learned counsel for the petitioner that petitioner had

already divorced the opposite party no. 2 and concerned maulvi has already issued Fatwa even then concealing this fact the present complaint was filed and order of cognizance was passed. He submits that it is a fit case for granting anticipatory bail whereas learned counsel appearing on behalf of complainant submits that there is no judicial order showing divorce. Moreover, in the complaint case date of occurrence is in between December 2013 and 18th March 2015.

Keeping in view the nature of accusation and the fact that petitioner was husband of the complainant / opposite party no. 2, there is no reason to entertain the present prayer for grant of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

U		T	
---	--	---	--