

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37737 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -KADWA District- KATIHAR

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1. Md. Dastageer Alam @ Dastagir Alam @ Dastgir son of Md. Ziyaaul Haque @ Ziyaul, resident of Village- Mallikpur, Police Station- Kadwa, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah
For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 30-11-2016 Heard both sides.

Petitioner prays for bail in Kadwa P.S. Case No. 60 of 2016, registered under Sections 3/4 of the Dowry Prohibition Act.

Petitioner is the husband of the informant and is facing allegation of physical torture and mental agony on the informant from the very date of solemnization of marriage. Under pressure of the society the petitioner married with informant but thereafter refused to take her along to the matrimonial home. For doing so, petitioner is demanding dowry which the informant is unable to pay.

Considering the aforesaid facts interim protection was granted permitting the petitioner to bring his wife to the matrimonial home and keep with him with honour & dignity. In stead of doing so, a supplementary affidavit is filed stating that he made attempts to bring the informant to the matrimonial home but was refused counsel for the informant however states



that at no point of time the petitioner ever made any attempt to bring the informant to the matrimonial home. Her mental torture continues.

Looking to the background of the case and other materials reflected from the record, I am not persuaded to extend him the privilege of anticipatory bail. The prayer of petitioner for anticipatory bail is rejected.

(Kishore Kumar Mandal, J)

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