

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53396 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -MAHILA P.S. District- ARRARIA

=====

1. Md. Hassan S/o- Late Alamgir R/o Mohalla- Islam Nagar, Ward No. 27,
P.S.- Araria, (Bairagachhi), District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 05-04-2016

Petitioner being elder brother of the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 323, 341, 379, 504, 324, 307/34 of the Indian Penal Code.

The basic accusation is of torture after four years of marriage for non-fulfilment of dowry demand of Rs. 5 lacs. It is specifically alleged against the petitioner that this petitioner assaulted to the informant with Dabia on her head whereas his wife tied rope around the neck of the informant.

It is submitted by learned counsel for the petitioner that accusation of demand of dowry after four years of marriage appears to be unreasonable. The husband of the informant has not been made accused and the accusation has been levelled only due to the share dispute in the property. The injury of the informant has been found to be simple in nature

and on conclusion of the investigation, charge-sheet has been submitted under Sections 498A, 323, 341, 324, 379, 504 of the Indian Penal Code. Moreover, for the occurrence of 24.05.2015 the First Information Report was registered on 01.06.2015.

Considering the delayed lodging of the case and the fact that on conclusion of the investigation the accusation under Section 307 I.P.C was not found true, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria Mahila P.S. Case No. 22 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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