

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8074 of 2017

Arising Out of PS.Case No. -71 Year- 2016 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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1. Shams Alam, Son of Abdul Gaffar, Resident of Village- Tajpur Mulki,
P.S.- Kesariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Smt. Sahin Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 22-06-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Mahila Police Station Case No. 71 of 2016, disclosing
offences under Sections 341, 323, 406, 498(A) of the Indian
Penal Code.

Learned counsel for the petitioner has submitted that
there is general and omnibus allegation against this petitioner
and no specific overt act is attributed to him. In fact, the
petitioner happens to be the husband of the informant is innocent
and has not committed any offence. The petitioner has tried his
level best to bring her wife but she herself refused to live with
the petitioner and he is still ready to keep his wife with full



honour and dignity. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that there is allegation of assault and demand of dowry against the petitioner. Moreover, mediation has also been failed between the parties.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

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