

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46141 of 2016

Arising Out of PS.Case No. -1148 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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MD. QAUNAIN ALI @ MOHAMMAD QAUNAIN ALI, S/o Halim
Miyan, R/o Vill. Batroliya, P.S. Paharpur, Dist. East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kalma Khatoon, W/o Md. Qaunain Ali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 30-06-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 1148C of 2013 registered under Sections
498A, 323, 406, 504/34 of the I.P.C. and ¾ of the Dowry Act
pending in the Court of C.J.M., East Champaran, Motihari.

Submission is that petitioner, who happens to be
husband, has falsely been implicated in this case. There is general
and omnibus allegation against the petitioner. Further submission
is that neither petitioner has demanded dowry nor assaulted the
complainant.

Learned A.P.P. appearing on behalf of the State
vehemently opposed the prayer of the petitioner with submission
that there is specific allegation of demand and torture in various



ways against the husband-petitioner and in-laws family members. Further it is submitted that mediation is also failed because husband-petitioner is rigid not to resolve the conjugal life.

Having considered the facts and circumstances of the case and nature of the allegation, I am not inclined to allow the prayer of the petitioner for anticipatory bail. Accordingly, this application is rejected.

(Arvind Srivastava, J)

Shailendra/-

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