

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5561 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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SABIR ALAM @ MD. SABIR, SON OF SHANSUL HODA, RESIDENT
OF YADOPUR BAKHRI TOLA NANKAR, P.S.- DHAKA, DISTRICT-
EAST CHAMPARAN.

.... PETITIONER/S

VERSUS

1. THE STATE OF BIHAR.
2. AMBARI BEGUM, WIFE OF SABIR ALAM AND DAUGHTER OF
MUJIBUR RAHMAN, RESIDENT OF YADOPUR BAKHRI TOLA
NANKAR P.S.- DHAKA, DISTRICT- EAST CHAMPARAN
PRESENTLY RESIDING AT VILLAGE- BARHARWA,
FATEHMOHAMMAD, P.S.- KUNDWA, CHAINPUR, DISTRICT- EAST
CHAMPARAN.

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar
For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 01-08-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Dhaka P.S. Case No. 101 of 2016, registered under Sections
498(A) and 406 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act, pending in the court of S.D.J.M,
Sikrahana at Dhaka, East Champaran.

The accusation is of torturing the complainant-
opposite party no. 2 by her husband and in-laws due to non-



fulfillment of demand of dowry and also to remove from her matrimonial house.

Learned counsel for the petitioner submits that the matter was referred to the Mediation Centre, Patna High Court, Patna, for settlement of dispute in between the petitioner and the opposite party no. 2 but in spite of best efforts the dispute could not be settled.

Learned counsel for the opposite party no. 2 submits that opposite party no. 2, who is the wife of the petitioner, has expressed her desire to live with this petitioner before the Mediation Centre but the petitioner refused to take his wife.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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