

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 58715 of 2018

Arising Out of Complaint Case No.-1273 C Year-2017 Thana- COMPLAINT CASE

District- Araria

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Alijan @ Alijar S/o- Late Mahboob, resident of Village- Chaudharia, Tirhut
Bitta Chatar, P.S. Araria, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Afroza, W/o- Alijan @ Alijar, D/o Abdur Rahman, resident of Village-
Tilsulia, Basantpur, Ward No. 3, P.S. Araria, District- Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 20-12-2018

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Complaint Case
No. 1273C of 2017 instituted under Section 498A of the Indian
Penal Code.

3. The allegation against the petitioner and other family
members is that he has mentally and physically tortured his wife,
the Complainant (Opposite Party No. 2) and further that he had
abducted and married the younger sister of the Opposite Party No.
2.

4. Learned counsel for the petitioner submitted that the
allegations are false and the story is fabricated and concocted as



there was no demand of dowry. It was further submitted that the opposite party no. 2 had left the matrimonial home. It has further been stated in the petition that the petitioner is ready to settle the matrimonial dispute. Earlier, notice was issued to the Opposite Party No. 2, but despite her father receiving the same, nobody appeared on her behalf when the matter was taken up and heard.

5. Learned A.P.P. submitted that the petitioner, who is the husband of the Opposite Party No. 2, is alleged to have kidnapped and married the younger sister of the Opposite Party No. 2, which itself shows his character. It was further submitted that nowhere in the entire petition, such fact has been denied by the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. The application, accordingly, stands dismissed.

(Ahsanuddin Amanullah, J.)

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