

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3846 of 2019**

Arising Out of PS. Case No.-200 Year-2018 Thana- BHAGWANPUR District- Vaishali

Shadab Azahar Md. Rafiq @ Md. Rafee Village - Mohammadpur Rahua,
Police Station – Bhagwanpur, District – Vaishali (Hajipur).

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.Indra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 08-03-2019 This application, for grant of anticipatory bail, arises out of Bhagwanpur P.S. Case No. 200/2018, disclosing offences under Sections 498A of the Indian Penal Code and Section 3/4of the Dowry Prohibition Act.

Petitioner happens to be husband of the informant and allegation against him is of cruelty and torture to the informant in connection with demand of dowry and also of causing burn injuries to the informant.

Submission of learned counsel for the petitioner is that all the allegations are false and concocted and petitioner is still ready to keep the informant with full honour and dignity as a wife, however, the informant herself does not want to live with the petitioner and the petitioner has also filed a case for restitution of conjugal rights but in that case also informant is not appearing.



Learned counsel for the State as well as informant opposed the prayer for bail. Learned counsel for the informant has submitted that the petitioner has brutally assaulted her and also caused burn injuries, however, he failed to show any injury report and also could not satisfy the court as to why he is not appearing in the case filed by the petitioner for restitution of conjugal rights.

Having heard both sides, considering the submission, the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -III, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 200/2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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