

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6467 of 2019

Arising Out of PS. Case No.-958 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Md. Nafis son of Sk. Isteyak, Resident of Village- Siswaniya Gad, P.S. Palanwa, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sahina Khatoon wife of Md. Nafis, D/o Meer Amamul, Resident of Village- Siswaniya Gad, P.S.-Palanwa, Distt.-East Champaran, at present R/o Village- Garhwa Bazar, P.S.-Majhauriya, Distt.-W. Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Adya Singh
For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-02-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.958-C of 2017 registered under Sections 498A and 406 of the Indian Penal Code and under section 3/4 of the Dowry Prohibition Act.

The wife of the petitioner filed complaint case alleging that the petitioner happens to be the son of maternal uncle. The marriage was solemnized and she got a child aged about seven years but thereafter the husband (petitioner) and other in-laws began to demand additional dowry and subjected her to physical and mental torture. On 30.03.2017 the complainant was driven out from the house.



Learned counsel for the petitioner submits that the petitioner is still ready to keep his wife.

From perusal of order dated 29.09.2018 passed by 1st Additional Sessions Judge-cum-Special Judge, Bettiah in A.B.P. No.1009 of 2018, it appears that the petitioner was granted provisional bail to keep his wife properly but the petitioner did not turn up in court and on such, the provisional bail of the petitioner was cancelled. It further appears that even after giving undertaking to keep his wife, the petitioner did not turn up in court for resolution of the dispute.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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