

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9341 of 2019

Arising Out of PS. Case No.-1180 Year-2012 Thana- COMPLAINT CASE District- Banka

MD. ANWAR S/o Late Md. Ayub Resident of Village- Balthar, Police
Station- Mohanpur, District- Deoghar (Jharkhand)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bibi Akida Khatoon W/o Md. Anwar, D/o Md. Nasim Resident of Village-
Azmatpur, Police Station- Barahat, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2019 Heard learned counsels for the parties.

The petitioner, being the husband of the complainant, is languishing in custody since 10.1.2019 in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the I.P.C. and Section 4 of Dowry Prohibition Act.

The prosecution case as per the complaint petition is that the complainant was married with the petitioner two years prior to the lodging of the complaint. It is alleged that torture was inflicted upon the complainant for non-fulfillment of dowry demands of Rs.50,000/- and a motorcycle. The complainant started residing at her



parent's house when on 5.7.2012 the petitioner came and took her to the matrimonial house and after snatching all the belongings of the complainant, drove her out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the accusation of assault is not being corroborated by any medical opinion. The petitioner is still ready to keep the complainant with full dignity and honour and statement to that effect has been made in paragraph 9 of the petition, which reads as follows:

“That the petitioner respectfully submits that petitioner is ready to keep the complainant/O.P. No. 2 with full dignity and honour but she not ready to live with the petitioner. She wants to live in her maike.”

Learned APP submits that the thrust of accusation is against the petitioner being the husband of the complainant.

Considering the nature of accusation and the period under custody, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Banka in



connection with Complaint Case No. 1180 of 2012.

(Dinesh Kumar Singh, J)

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