

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18356 of 2019

Arising Out of PS. Case No.-454 Year-2015 Thana- COMPLAINT CASE District- Araria
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ABU HAYAT @ ABUL HAYAT Son of Abdul Khalid Resident of Village -
Babuan, P.S.- Narpatganj (Basmatiya), Distt - Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rizwana Khatoon Wife of Abu Hayat @ Abul Hayat Resident of Village -
Basmatiya, P.S.- Narpatganj, Distt - Araria.

... .. Opposite Party/s
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Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Rana, Adv.
For the State	:	Mr.Shailendra Kumar, A.P.P.
For O.P. No.2	:	Mr. Mrigendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 01-05-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 454(C) of 2015 for the offence
punishable under Sections 498(A) of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
petitioner is husband of the complainant and he is ready to
keep the complainant as wife with full honour and dignity.
Statement to that effect has been made in paragraph 10 of



the petition. But the complainant herself does not want to live with the petitioner. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned counsel appearing for O.P. No.2 has opposed the submission of the learned counsel for the petitioner and submitted that the petitioner is husband of the complainant and there is direct allegation of demand of dowry and assault. The petitioner has also performed another marriage with another lady and he does not want to keep the complainant and her child with him.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail of this petitioner is hereby rejected.

(Arvind Srivastava, J)

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