

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18548 of 2019

Arising Out of PS. Case No.-60 Year-2017 Thana- GALGALIYA District- Kishanganj

TAHIR @ TAHIR ALAM @ MD. TAHIR ALAM Son of Late Mir Kalib
Resident of Dimhat, Police Station- Galgalia, District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Khatoon Daughter of Md. Humayun Resident of Jhinakhor, Police Station-Pothia, District- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-07-2019 This application, for grant of anticipatory bail, arises out of Galgalia P.S. Case No. 60 of 2017, disclosing offences under Sections 498A of the Indian Penal Code and Section 3 /4 of the Dowry Prohibition Act.

Petitioner happens to be husband of opposite party no. 2 and allegation against him is of subjecting the opposite party no. 2 to torture and cruelty with respect to demand of dowry and further allegation is that the petitioner has remarried with another lady within six months of his first marriage.

Submission of learned counsel for the petitioner is that entire allegation is false and concocted and he is still ready to keep the informant – opposite party no. 2 with full honour



and dignity and it is the opposite party no. 2, who does not want to live with the petitioner.

Heard learned A.P.P. also as well as learned counsel appearing on behalf of opposite party no. 2. He has opposed the prayer for bail and submitted that there is allegation the petitioner of subjecting the opposite party no. 2 to cruelty and torture in connection with demand of dowry and petitioner has ousted the opposite party no. 2 from his house.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail. However, it is open to the petitioner to request opposite party no. 2 to live with him and appear before the court below and pray for regular bail and the court below after considering the same, shall pass an appropriate order on the bail petition of the petitioner.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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