

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24336 of 2017

Arising Out of PS. Case No.-2849 Year-2014 Thana- COMPLAINT CASE District- Araria

Farzanul Haque Son of Late Minhazul Haque, Resident of Village-
Kumhrauli, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Saima Firdaus, D/o Md. Irshadul Haque, W/o Farzanul Haque, Resident of Mohalla- Sir Saiyed Colony, Millat Nagar, Ward No. 2, P.S.- Araria, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Mr.Sri Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Through the present application the prayer for anticipatory bail has been renewed 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 Indian Penal Code and Section 3/4 of Dowry Prohibition Act but it appears that the petitioner, being the husband of the complainant, earlier preferred Cr. Misc. No. 14005 of 2016 which was permitted to be withdrawn vide order dated 18.04.2016.

The marriage between the petitioner and the



complainant is admitted and after four years of the marriage, the accusation of torture has been alleged. A statement to that effect has been made in paragraph 11 of the petition, which reads as follows:-

“That the petitioner is still ready to keep his wife with full dignity and honour.”

It appears that the complaint was filed in the year 2014 when the order of cognizance was passed on 09.07.2015. The earlier anticipatory bail application was permitted to be withdrawn vide order dated 18.04.2016 and after more than a year of the withdrawal, the present Criminal Miscellaneous application was registered on 17.05.2017, hence, this Court is not inclined to interfere. However, keeping in view the present stand of the petitioner, let learned Court below consider the prayer for regular bail of the petitioner, if he surrenders before the learned Court below within a period of six weeks from today in connection with Complaint Case No. 2849 of 2014, pending in the Court of learned SDJM, Araria.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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