

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21595 of 2019**

Arising Out of PS. Case No.-1884 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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MD. SARIF @ SHARIF Son of Md. Hamid @ Abdul Hamid Resident of
Village- Maripur, P.O.- Raghunathpur Madhuban @ Kamman Chhapra, P.S.-
Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afsana Khatoon Wife of Md. Sarif Resident of Village- Maripur Maniyari,
P.S.- Mahant Maniyari, District- Muzaffarpur, Naihari Address- Daughter of
Md. Kashim, Village- Sondho Gujrbagh, P.S.- Goraul, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bela Singh
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-08-2019 Heard learned counsel for the petitioner, learned

counsel for the complainant as well as learned counsel for the

State.

This application, for grant of anticipatory bail, arises
out of Trial No. 2554/18 arising out of Vaishali Complaint Case
No. 1884 of 2018, disclosing offences under Sections 498A,
326, 379 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

Petitioner happens to be husband of the complainant
and allegation against him is of demand of colour T.V. and
Pulsar motorcycle as dowry and due to non fulfilment of the



said demand, he subjected the complainant to cruelty and torture and also assaulted her causing some injury to her.

Submission of learned counsel for the petitioner is that the entire allegation is false and concocted and no injury report has been produced and petitioner is still ready to keep her with full honour and dignity and it is the complainant, who does not want to live with the petitioner.

It appears that earlier matter was referred to Patna High Court Mediation and Conciliation Center, Patna. However, the mediation between the parties failed.

Learned counsel for the complainant has submitted that complainant is not ready to reside with the petitioner as he has married with another lady.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -VII, Vaishali, Hajipur, in connection with Trial No. 2554/18 arising out of Vaishali Complaint Case No. 1884 of 2018, subject to the condition laid down under



Section 438 (2) of the Code of Criminal Procedure.

It is also subject to the condition that if any maintenance case is filed by complainant, the petitioner will not refuse to receive notice and appear in the maintenance case and also abide by any interim or final order passed in the said maintenance case.

(Vinod Kumar Sinha, J)

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