

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22687 of 2019

Arising Out of PS. Case No.-1557 Year-2018 Thana- SASARAM NAGAR District- Rohtas

Shad Ahmad, Son of Late Ajmal Hussain, Resident of Village - Allarganj
Sasaram, P.S.- Sasaram (Town), Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Esmat Bano, D/o Md. Nasirudeen, Resident of Village - Karan Sarai
Sasaram, P.S.- Sasaram (Nagar), Distt.- Rohtas at Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh
For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-07-2019 This is an application for grant of anticipatory bail in connection with Sasaram (T) P.S. Case No. 1557 of 2018, disclosing offences under Section 498A of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is that who happens to be the husband of the informant and he demanded Rs.1,00,000/- and for that, assaulted her physically and mentally. Further allegation is that she was also assaulted as she refused to unnatural sex with him. The allegation further shows that petitioner is residing with his uncle along with his family members, whereas part of the building has been given to her in 'Muhdekhai' and when she is demanding the same, she is



torturing by the accused persons and also gave divorce on phone.

Submission of learned counsel for the petitioner is that the whole allegations are false and concocted, which will appear from the F.I.R. itself that despite that petitioner is still ready to keep her with dignity and care.

On the other hand, learned counsel for the opposite party no.2 has appeared and submitted that she is also ready to reside with the petitioner, if she is allowed to live with full dignity and care but the allegation clearly shows that she was subjected to torture.

In such view of the matter, let the petitioner, above named, surrender before the learned court below on 22.07.2019 and on that day the opposite party no.2 shall also remain present in the Court. Further on filing of an affidavit by the petitioner that he is ready to keep her with full dignity and care and to take her from the Court itself, the learned court below shall be released on bail on his own satisfaction.

If the opposite party no.2 is not ready to reside with the petitioner, in that condition, petitioner shall be released on bail.

With the aforesaid observations, this application is



disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

