

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25571 of 2019

Arising Out of PS. Case No.-828 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Ashfak, Son of Md. Mansi, Resident of Village-Nagdaha, P.S.-Sanhoulla,
District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Tabbasum Ara, Wife of Md. Ashfak, Daughter of Md. Makbool,
Resident of Village-Makhdada Post-Pothiya P.S.-Sanhoulla, District-
Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 16-07-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 828 of 2017, disclosing

offences under Sections 323 and 498A of the Indian Penal Code

and Section 4 of Dowry Prohibition Act.

Allegation as per complaint petition lodged by the

complainant-wife that after the marriage, mother-in-law and

father-in-law were always abusing her and they were demanding

Rs.1,00,000/- and her father has given rupees one lakh for after

selling his land, but in spite of that the petitioner along with the

other accused persons abusing and assaulting her. Further

allegation is that father-in-law of the complainant tried to have

illicit relationship with her and when the same was told by her

to his husband, he made her responsible for that. It is also



alleged that petitioner has also married with another lady and he used to visit her also. After Panchayati she was taken to Sasural but again the accused persons assaulted her and demanding Rs.1,00,000/- from her. Further allegation is that all the accused persons tried to kill her.

Submission of the learned counsel for the petitioner is that the whole allegations are false and concocted. No specific allegation has been attributed against him. He is still ready to keep her with full dignity and care, for that, a Co-ordinate Bench of this Court has tried to reconcile, the opposite party no.2 was not appeared.

Heard learned A.P.P. also.

On perusal of the record, it shows that opposite party no.2 has appeared by filing a Vakalatnama, but nobody appears today on her behalf.

Having heard both sides, considering the above submission, 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) with two sureties of the like amount to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur, in connection with



Complaint Case No. 828 of 2017, subject to the condition laid
down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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