

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28328 of 2019

Arising Out of PS. Case No.-306 Year-2018 Thana- BARSOI District- Katihar

ABDUL RAHMAN Son of Shakur Mohammad Resident of Village- Kaswa
Tola, P.S.- Barsoi and District- Katihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Farhina Khatun Wife of Abdul Rahman, D/O Md. Mohsin Resident of
Village- Kota, P.S.- Sudhani, District- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 27-09-2019 Heard both sides.

The petitioner apprehends his arrest in Barsoi P.S.
case No. 306 of 2018 registered under Section 323, 328, 420,
406, 384, 34, 498A of the IPC and u/s $\frac{3}{4}$ of Dowry Prohibition
Act.

The matter was sent to the Mediation Center but the
matter could not be resolved through mediation.

The learned counsel for the petitioner submits that
petitioner is ready to keep his wife with all honour and dignity
but the wife is not willing to live with petitioner. The petitioner
has got two children from his first wife and he is ready to
construct separate house to keep his wife but the learned counsel



for the informant submits that petitioner has already solemnized 2nd marriage after deserting the informant.

Taking into consideration the facts that informant is not willing to live with the petitioner only because her husband deserted her and solemnized 2nd marriage and thereafter he used to subject her to physical and mental torture, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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