

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28628 of 2019

Arising Out of PS. Case No.-68 Year-2016 Thana- SATHI District- West Champaran

SHEIKH FAIZUL RAHMAN @ FAIZUL RAHMAN Son of Sheikh Aliyas
Resident of Village - Semari, P.S.- Sathi, Distt - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahabun Nesha Wife of Sheikh Faizul Rahman @ Faizul Rahman Resident of Village - Semari, P.S.- Sathi, Distt - West Champaran. Presently residing at Village - Parorahan, P.S.- Sathi, Distt - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-08-2019 The petitioner apprehends his arrest in connection with Sathi P. S. Case No. 68 of 2016 registered under Sections 323, 341, 498A and 504/34 of the Indian Penal Code.

Allegation against the petitioner, as per FIR, is that marriage of the informant was solemnised with the petitioner six months ago. It has further been alleged that this was love marriage between her and the petitioner and after marriage, petitioner started living with the informant in her house along with her parents. However, on 04.04.2016, informant went to her *Sasural* where petitioner and other accused persons demanded Rs. 2 lacs and one Hero Honda motorcycle as dowry and due to non-fulfillment of demand, they tried to burn the



informant and petitioner assaulted her psychically also.

Mr. Sanjay Kumar, learned counsel appearing on behalf of the petitioner, submits that petitioner is innocent and belongs to a very poor family. Learned counsel further submits that from perusal of FIR, it would be evident that there was love marriage between the petitioner and the informant and after marriage petitioner used to live in his *Sasural*. Learned counsel submits that allegation against the petitioner is concocted inasmuch as informant is not willing to live with the petitioner in her matrimonial home and pressurised him to live with her in his *Sasural*. Learned counsel further submits that notice was issued to the informant i.e., O.P.No. 2, by this Court but despite service of notice, O.P.No. 2 chose not to appear before this Court.

After having heard learned counsel for the parties and taking into consideration the fact that allegation is general and omnibus in nature and further O.P.No. 2, despite service of notice, did not appear before this Court, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two



sureties of the like amount each to the satisfaction of the learned
CJM, West Champaran at Bettiah in connection with Sathi
P.S.Case No. 68 of 2016; subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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