

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34845 of 2019

Arising Out of Case No.-393 Year-2011 ROHTAS COMPLAINT CASE District- Rohtas

MD. HANIF @ HANIF Son of Late Md. Halim Resident of Village -
Chhaniapura, House No.258, P.S.- Chhaniapura, Dist.- Jhanshi, Uttar Pradesh.
... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anwar Ahmad Son of Late Abdul Sattar, Resident of Village - Barah Paththar, P.S.- Dihri, Dist.- Rohtas at Sasaram
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh
For the State:		Mr. Mukeshwar Dayal
for the O.P. No.2	:	Mr. Dilip Kumar Roy

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-08-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 393 of 2011 for the offences allegedly committed by the petitioner under Section 498A of the IPC.

The complainant, father of the wife of petitioner, disclosed in the complaint petition that he married his daughter with petitioner on 06.05.2001. His daughter remained happily with her husband and gave birth to a female child, who is eight years old, but the husband of his daughter began to demand Rs. One lakh as additional dowry and due to non fulfillment of the demand the petitioner is alleged to have dropped his daughter at Sasaram railway station and fled away.

The learned counsel for the petitioner submits that petitioner never demanded any dowry. The petitioner solemnized second marriage with the daughter of complainant in the year 2001 after the death of his first wife. The petitioner got two sons from his first wife but the daughter of complainant misbehaved with the sons of first wife of the petitioner and that



is why some dispute arose. The petitioner is still ready to keep his wife. On such, the learned counsel for the complainant submits that petitioner always cruelly behaved with his wife. It is pointed out that maintenance case is also filed.

It appears from the contents of the complaint petition that petitioner solemnized second marriage with the daughter of complainant and some dispute arose between the petitioner and his second wife on account of upkeepment of the children of first wife. The petitioner is ready to keep his wife but wife does not appear to be willing to live with petitioner.

Taking into consideration the facts aforesaid, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate, Dehri-on-Sone, Rohtas at Sasaram in connection with Complaint case No. 393 of 2011, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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