

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43755 of 2019

Arising Out of PS. Case No.-423 Year-2018 Thana- ALOULI District- Khagaria

Shabnam @ Shabnam Parveen, aged about 19 years (Female) D/o Md. Jakir
Resident of village- Thatherava, P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-07-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending her arrest in connection with Alauli P.S. Case No. 423 of 2018 registered for offences under sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As per prosecution story, the marriage of the Informant was solemnized with Md. Jamil, they were living peacefully but, the husband used to threaten her in the name of second marriage. On the fateful day, the husband has brought the present petitioner, Shabnam @ Shabnam Parveen to his house as a second wife. When the Informant objected, her husband started to assault her and threatened to be killed. Further allegation has been made that at about 11 O'clock in the



night, the husband and other inmates were making planning to kill her and she fled away from her matrimonial house.

The petitioner is the second wife which is permissible in Muslim law and, thus, she has not committed any wrong by solemnizing her marriage with Md. Jamil.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 423 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, she will remain present and if she would not present herself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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