

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37898 of 2018

Arising Out of PS. Case No.-59 Year-2017 Thana- MAHILA P.S District- Supaul *

Md. Shahwaj @ Mohammad Shahwaj S/o Md. Jamil , R/o Vill.- Ayraji Kuseher, P.S.- Balua Bazar, District- Supaul.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Shahin Praveen W/o Md. Shahwaj, Presently residing at C/o Md. Main, Vill.- Gazusi Shankarpur, P.S.- Bhargama, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Sri Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 06-03-2019 Heard learned counsels for the parties.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 323,341,498A, 504 and 506/34 of the IPC and Sections 3 and 4 of Dowry Prohibition Act.

The prosecution case as per the written report of Saheen Parveen, submitted to the SHO, Supaul Mahila Police Station is to the effect that the marriage of the informant was preformed with the petitioner but few days after the marriage, the petitioner started inflicting torture upon the informant for non-fulfillment of dowry demand of Rupees One Lac Fifty Thousand and one motorcycle. The petitioner tried to kill the informant by causing



burn injury.

Considering the submission of learned counsel for the petitioner that the petitioner admits his marriage with the informant and the petitioner being ready to keep the informant as wife with full dignity and honour, notices were issued to O.P. No. 2. Statement made in paragraph 8 of the petition reads as follows:

“That the petitioner was/is always ready to keep his wife peacefully with full honour and dignity but she is the lady informant herself, who is not at all ready to live with this petitioner.”

Today, it is submitted by learned counsel for the petitioner that the petitioner and the informant are residing together. The contention of learned counsel for the petitioner is not being controverted by learned counsel for the informant, hence the learned counsel for the informant is not opposing the prayer of the petitioner for anticipatory bail.

Considering the aforesaid facts and submissions of learned counsel for the parties, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned CJM, Supaul in connection with Mahila (Supaul) P.S. Case No. 59 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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