

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46174 of 2019

Arising Out of PS. Case No.-1953 Year-2017 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Shekh Gubran @ Sheikh Gubaran Shekh Guphran, S/o Late Shekh Moian,
Resident of village-Bikramganj (Guljar Bagh), Ward No. 21, P.S. Bikramganj,
District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabiha Ajami W/o Shekh gubran Shekh Guphran D/o Lal Mohamad Khan,
R/o Village Bikramganj (Guljar Bagh).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 03-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 323, 325, 498(A)/34 of I.P.C.

Complainant has alleged that she was married with
accused petitioner on 24.04.2014 according to Muslim rites and
customs and at the time of marriage gifts and presents were
given to petitioner. However, when she went to her matrimonial
home further demand of dowry was made and for non-
fulfillment of which she was being tortured. A child was also



born from said wedlock. She has further alleged that accused/petitioner had illicit relation with the wife of his brother and after being ousted from her matrimonial home she is living in her parental home.

It has been submitted on behalf of petitioner that allegations are false and concocted. Complainant herself left her matrimonial home without any rhyme and reason and petitioner has filed a matrimonial case No. 115/19 before the Family Court, Rohtas for restitution of conjugal right.

A supplementary affidavit has been filed on behalf of petitioner stating therein that petitioner went to his Sasural to take his wife back but his wife refused to come with petitioner. Petitioner is ready to take his wife to her matrimonial home where she will be allowed to live with respect and dignity.

As the matter is pending before the Family Court and there is chance of reconciliation, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Bhojpur Complaint Case No.



1953(C)/2017, Tr. No. 4540/18 subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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