

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53557 of 2019

Arising Out of PS. Case No.-1309 Year-2018 Thana- COMPLAINT CASE District- Araria

Md. Imroz @ Imroz, Son of Md. Murshid, Resident of Sakin Basgara, Ward No - 7, P.S.- Forbesganj, Distt - Araria.

... .. Petitioner

Versus

1. The State of Bihar
2. Shabana Khatoon, Wife of Md. Imroz, D/o Md. Hafiz Resident of Sakin - Safiganj, Ward No. 4, P.S.- Forbesganj, Distt - Araria.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Vijay Kumar, Advocate
For the State	:	Mr. Kalyan Shankar, APP
For the O. P. No.2	:	Mr. Ramesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Complaint Case No.1309-C of 2018 in which cognizance has been taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

It is contended by the learned counsel for the petitioner that there is no truth behind the allegation of subjecting the complainant for non-fulfilment of demand of dowry.

On the other hand, learned counsel appearing for the complainant-opposite party no.2 has submitted that the complainant was married to the petitioner on 21.01.2016 and



since then she is being subjected to cruelty for non-fulfilment of demand of a motorcycle and Rs. 1,00,000/-. He has further contended that lastly the accused persons ousted the complainant while she was pregnant.

In reply, learned counsel for the petitioner submitted that the entire allegations made in the complaint are concocted and fabricated. As a matter of fact, the complainant herself has deserted the petitioner and has left her matrimonial home out of her own sweet will. He contended that the petitioner is still ready to keep her in his house with full dignity and honour.

Be that as it may, regard being had to the nature of the offence, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Araria in connection with Complaint Case No1309-C of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

