

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56134 of 2019

Arising Out of PS. Case No.-1846 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====
Idu Ahmed @ Idd Mohammad @ Idd Mahammad, S/O Wausi Akhtar @
Wausi Akhtar Miyan, Resident of Village- Harnatha, P.S.- Pakridayal,
District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajmeri Khatoon, W/O Idu Ahmed @ Idd Mohammed, D/O Jahir Mian,
Resident of Village- Bela Baiju, P.S.- Patahi, District- East Champaran.

... .. Opposite Party/s

=====
Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

=====
CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 13-12-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. C-1846 of 2018,

disclosing offences under Section 498A of IPC and Section 3/4 of

Dowry Prohibition Act.

As per complaint case, petitioner happens to be the
husband of the complainant. There is allegation of demand of
Rs.2,00,000/- and for that, torturing and assaulting her and also
trying to kill her by sprinkling kerosene oil.

Submission of the learned counsel for the petitioner is
that as a matter of fact, she is not ready to reside with the
petitioner, for that, he has also filed a Matrimonial Case No. 327
of 2018 for restitution of conjugal rights before the Principal



Judge, Family Court, Motihari and also submitted before the learned court below that he is ready to keep her with dignity and care, but without considering the same, his prayer for anticipatory bail has been rejected. There is no injury report available on the record.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Motihari, in connection with Complaint Case No. C-1846 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that if the complainant is ready to reside with him, he has to keep her with dignity and care.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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

