

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55931 of 2019

Arising Out of PS. Case No.-1496 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

MD. AJMER, Son of Md. Hakim @ Md. Hakim Miyan, Resident of Huseni,
P.S. - Dumariyaghat, District – East Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-10-2019

This application, for grant of anticipatory bail, arises out of Complaint Case No. C-1496/2018, disclosing offences under Sections 498A of the Indian Penal Code and Section 3 /4 of Dowry Prohibition Act.

Petitioner happens to be husband of complainant and allegationp against him is of subjecting the complainant to torture with respect to demand of dowry. It also appears that complainant had filed a maintenance case, in which, the petitioner appeared and the matter was compromised and after compromise complainant went with the petitioner but she was again tortured and ousted from the house.

Submission of learned counsel for the petitioner is that all the allegations are false and concocted and he is still



ready to keep the complainant with full honour and dignity.

Heard learned A.P.P. as well as learned counsel for the complainant. They have opposed the prayer for anticipatory bail and submitted that the earlier also after compromise the petitioner had taken the complainant with himself but he against tortured her and ousted her from the house.

Having heard both sides, considering the facts and circumstances of the case and the conduct of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

Provisional bail granted to the petitioner vide order dated 03.09.2019 stands withdrawn.

Let a copy of this order be communicated to the concerned court below forthwith.

(Vinod Kumar Sinha, J)

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