

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.644 of 2019**

Arising Out of PS. Case No.-921 Year-2017 Thana- COMPLAINT CASE District- Banka

Md. Rajaul Rahman @ Md. Rajaur Rahman @ Rajaur Rahman Son of Md. Hifiur Rahman @ Md. Hifiur Rahman @ Hifiur RAhman Resident of Village - Dahuawa, P.S.- Bounsi, District - Banka

... .. Petitioner

Versus

1. State Of Bihar
2. Asma Khatoon Wife of Md. Rajaur Rahman @ Rajaur Rahman, Daughter of Md. Najam at present resident of Village - Teliya, P.S.- Barahat, District - Banka

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr.Md. Nurul Hoda  
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

3      03-05-2019                      Heard leaned counsel for the petitioner and the leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 921 of 2017, registered under Section 498(A) of the Indian Penal Code, pending in the court of the S.D.J.M., Banka.

The accusation is of torturing of the complainant by her husband and other in-laws due to non-fulfillment of demand of dowry and also removing her from matrimonial house along with her children.

Learned counsel appearing on behalf of the



petitioner submits that complainant is in habit of filing the case as Banka (Mahila) P.S. Case No. 36 of 2017, under Section 498(A), 341, 323, 504 and 506/34 of Indian Penal Code has also been filed. Further submission is that while the matter was referred before the Mediation Centre, Patna High Court, Patna, but the matter could not be settled in between petitioner and O.P. No.2.

On the other hand, learned counsel appearing on behalf of the complainant/O.P. No.2 submits that, in fact, the present case is related to the cruelty and harassment at the hand of petitioner, who is husband of the complainant till 02.07.2017 on which date the complainant/O.P. No.2 was removed from her matrimonial house and on Panchayati, she was taken by the petitioner, but she was again removed from her matrimonial house on 15.07.2017 regarding which another case i.e. Banka Mahila P.S. Case No. 36 of 2017 was instituted. Further submission is that while the matter was referred to Mediation Centre, Patna High Court, but due to rigid attitude of the petitioner the matter could not be settled as petitioner is not ready to keep his wife (complainant/O.P. No.2).

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am



not inclined to grant anticipatory bail to the petitioner.  
Accordingly, his prayer for grant of anticipatory bail stands  
rejected.

**(Rajendra Kumar Mishra, J)**

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