

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79069 of 2018

Arising Out of PS. Case No.-103 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Siddique @ Siddique, son of Md. Ilyas, Resident of village- Sonapur,
P.S. Abadpur, Distt.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bilquish Bano, wife of Md. Siddique @ Siddique, D/o Md. Belal , Resident
of Village- Shivanandpur, P.S. Abadpur, Distt.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Md. Qumrul Hoda, Advocate.
For the Opposite Party/s :	Mr. Mritunjay Kumar Gautam, APP
For the Informant	Mr. Ajit Kumar Singh, Advocate.

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

ORAL ORDER

3 01-05-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 103 of 2018 registered under Sections 323, 504,
406 and 498(A) of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act, pending in the court of S.D.J.M., Katihar.

The accusation is of torturing the complainant-opposite
party no. 2 by her husband and in-laws due to non-fulfillment of
demand of dowry.

On the request of the learned counsel of both parties,
the matter was referred before the Patna High Court Mediation and
Conciliation Centre for settlement of dispute in between the
petitioner and the opposite party no. 2 but the matter could not be



settled, as the complainant-opposite party no. 2 wants to leave along with her child with the petitioner at her matrimonial house whereas petitioner expressed his desire for one time settlement.

Learned counsel for the petitioner submits that, in fact, petitioner has sent a letter for divorce to the complainant-opposite party no. 2 and he has filed the Divorce Case No. 598 of 2018 in the court of Principal Judge, Family Court, Katihar due to that reason the present case has been lodged with false allegation.

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. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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