

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66758 of 2019

Arising Out of PS. Case No.-335 Year-2009 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

MD. IBRAHIM Son of Late Hamid Miya Resident of Village - Aasha Patti,
Parsouni, P.S.- Sahebganj, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shakila Khatoon Wife of Md. Ibrahim Resident of Village - Aasha Patti,
Parsouni, P.S.- Sahebganj, Distt - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyotsna Rani Mishra

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-10-2019 This application, for grant of anticipatory bail,

arises out of Complaint Case No. 335 of 2009, disclosing

offences under Sections 498(A), 379, 384/34 of Indian Penal

Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant
and allegation against him is of subjecting the complainant to
torture with respect to demand of dowry.

It appears that the case is of the year 2009 and from
impugned order, it further appears that earlier the anticipatory
bail was dismissed by the court below but the petitioner again
moved for grant of anticipatory bail and the same was also
dismissed.



Submission of learned counsel for the petitioner is that in the panchayati, marriage between the petitioner and complainant has already been dissolved and he has filed an affidavit before the Hon'ble Court in support of the same..

Learned counsel for the State opposed the prayer for anticipatory bail of the petitioner on the ground that the case is quite old and petitioner is still evading his arrest.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may 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 basis of materials available on record and also after considering the submission of learned counsel for the petitioner, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

sunilkumar/-

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

