

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73788 of 2018

Arising Out of PS. Case No.-893 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Md. Sohail Anwar @ Sohail Aalam S/o Md. Haider, Resident of Village- Bari
Jana, P.S.- Chourahi, District- Begusarai.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Saba Kousar, W/o Md. Sohail Anwar, D/o Abdul Mannan, resident of
Village- Dinmanpur Kharaj, P.S. Khanpur, Post Dinmanpur Kharaj, District-
Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 19-06-2019 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in connection with

Complaint Case No. 893 of 2016 registered for the offence

punishable under sections 498A/34 of the Indian Penal Code

and sections 3/4 of the Dowry Prohibition Act.

Learned counsel appearing for the petitioner

submits that petitioner has been falsely implicated in this

case merely because he is husband of the complainant. The

complainant used to regularly visit her Naihar to which the

petitioner objected and requested her to lead her conjugal



life at Sasural, the complainant quarreled with him and lodged the present false complaint.

Learned Addl. P.P. appearing for the State and the learned counsel appearing for the opposite party no. 2 opposes the prayer for bail and submits that there is allegation of committing torture due to non-fulfillment of demand of dowry. Moreover, petitioner being the husband had the responsibility to maintain the complainant with all dignity and honour in which he has failed, and as such, he does not deserve to be granted the privilege of anticipatory bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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