

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10946 of 2020

Arising Out of PS. Case No.-1246 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

=====

NESHAR AHMAD Son of Late Ashik Mian @ Ashique Mian @ Arif Mian
Resident of Village - Barwa Parsauni, P.S. - Inarwa, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabnam Khatoon Wife of Neshar Ahmad D/O Hajrat Ali @ Hazarat Mian ,
Resident of Village - Bharpatiya, Gurwaliya, P.S.- Manupul, Distt. - West
Champaran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-10-2021 Despite notice served upon the O.P. No.2, no one
appears on behalf O.P. No.2

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with S.C. No.1278 of 2018 arising out of Complaint Case No.
1246(C) of 2016 for the offence punishable under Sections
498A of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

The case is of demand of dowry and non-
fulfillment of the same, the complainant is subjected to



assault and torture.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the complainant herself deserted the petitioner on instigation of her family members. Further, the petitioner has filed a divorce case being Divorce Case No. 375 of 2015 on 29.10.2015 and in turn, the complainant filed the false complaint case against him on 23.07.2016. Apart from that, the petitioner is still ready to maintain her wife along with his two children. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has, vehemently, opposed the prayer for grant of anticipatory bail to the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of his arrest or surrender before the court below within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bettiah, West Champaran in connection with S.C. Case No.



1278 of 2018 arising out of Complaint Case No. 1246(C) of
2016 subject to the conditions laid down under Section
438(2) of the Cr.P.C.

(Rajesh Kumar Verma, J)

braj/-

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

