

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10982 of 2020

Arising Out of PS. Case No.-133 Year-2019 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Md. Firoj Alam @ Md. Mokhtar S/O Md. Seraj Sahab @ Md. Seraj Shah @
Lal Babu Resident Of Mohalla- Gagaon Diwan, P.S.- Laheri, Distt- Nalanda.
... .. Petitioner

Versus

1. The State Of Bihar
2. Tamanna Khatoon W/O Md. Firoj Alam @ Md. Mokhtar, D/O Md. Sowarati
Shah R/O Mohalla- Takiyapar, P.S.- Nawada, Distt- Nawada.
... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr.Ganesh Sharma, Advocate
For the Opposite Party	:	Mr.Syed Ehteshamuddin, Addl Public Prosecutor
for the opposite party no.2	:	Mr. Deepak Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 28-01-2021 Heard learned counsel for the petitioner, the State and
the opposite party no.2 via Video conferencing.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 498A, 323 and 504 of
the Indian Penal Code and section 4 of the Dowry Prohibition
Act.

Petitioner, husband of opposite party no.2, as well as
his family members are alleged to have subjected the opposite
party no.2 to cruelty and harassment for non-fulfilment of
dowry demand.

Learned counsel for the petitioner submits that the
petitioner is ready to keep opposite party no.2 with care and
dignity. However, he cannot pay maintenance to her.



Learned counsel for the State and the informant oppose the prayer for bail submitting that opposite party no.2 is not willing to go to her matrimonial house because of ill treatment meted out to her at the hands of the petitioner and his family members. Petitioner is not even ready to pay her maintenance.

Considering the nature of allegation against the petitioner who happens to be the husband of the victim, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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