

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36848 of 2020

Arising Out of Case No.-581 Year-2017 GOPALGANJ COMPLAINT CASE District-
Gopalganj

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SHAUKAT ALI Son of Late Yasin Mian Resident of Village- Kotwa, P.S.-
Barauli, Distt- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aashma Khatoon W/o Shaukat Ali, D/o Wakil Mian at present R/o village-
Supauli Kund, P.S.- Sidhwalia, District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-06-2021 Heard both sides.

The matter has been taken up through video
conferencing.

The petitioner apprehends his arrest in Complaint
Case No. 581/2017 registered under Section 498A, 406 of the
Indian Penal Code.

The petitioner is husband. The learned counsel for
the petitioner submits that from bare perusal of the complaint
petition it would appear that marriage was solemnized on
29.01.2014. The complainant alleged that within three months
she was subjected to all sorts of torture due to non fulfillment of
demand of dowry and on 16.03.2014 she was left at Barhima
and from where she came to her parents house. It is further
submitted that last occurrence is said to have taken place on
16.03.2014 but the complainant lodged the complaint petition
on 16.03.2017. The complainant kept mum for three years and



she did not complain about the ill treatment given to her. The true facts are that the petitioner is labourer and wife of the petitioner was not willing to live with petitioner and that is why she left the house on 16.03.2014 itself and filed the complaint petition only after three years from the date of living the house of the petitioner. The petitioner is ready for settlement of the dispute.

Taking into consideration the facts aforesaid, I find that petitioner deserves anticipatory bail. Accordingly, this application is allowed and the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order shall be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction the learned Additional Chief Judicial Magistrate-XIV, Gopalganj in connection with Complaint case No. 581/2017, subject to conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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