

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16638 of 2021

Arising Out of PS. Case No.-1894 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

MD IRSHAD S/O- Shahadat Hussain R/o Vill Madhopur Bujurgi P.S.
Dewariya Dist. Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabnam Khatoon W/o- Irshad R/o Bhakhari Mahesh, P.S. kalanpur, Distt. -
E. Champaran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.Raj Kishore Singh
Mr. Manjeet Kumar Mishra

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 22-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned counsel for the complainant.

The petitioner apprehends his arrest for the

offences alleged under Section 498A of the Indian Penal Code

in connection with Tr.No.2107/19 arising out of Complaint Case

No. 1894 of 2019.

The complainant Shabnam Khatoon made allegation

that her marriage was solemnized with the petitioner in the year



2010. The customary presents were given to the husband on the occasion of marriage. The couple were blessed with three children. Thereafter, the petitioner started torturing the complainant. The petitioner and his family members demanded a motor-cycle, gold chain etc. They also denied to provide basic minimum need to the complainant, such as medicines etc. They badly assaulted the complainant and she was treated in a hospital. At present, the complainant is residing in her parental home along with her children in a very miserable situation.

To explore the possibility of amicable solution of the dispute, the matter was referred to the District Mediation Centra, East Champaran at Motihari. The report of the learned Mediator is annexed with the record. The order sheet of mediation process shows that the complainant was appearing on each and every date before the learned Mediator, but the petitioner was not appearing. The order sheet dated 16.05.2022 shows that despite repeated directions, the petitioner did not appear before the Mediator. The next date was fixed on 24th May, 2022, on which date the petitioner appeared, but flatly refused to keep the complainant with him.

In paragraph no.8 of the bail petition, the petitioner has stated that he is ready to keep his wife with full dignity and



owner, wheres before the learned Mediator, at first instance, he evaded his presence and ultimately refused to keep the victim with him which shows his duel stand.

In view of aforesaid, the petitioner does not deserve the privilege of anticipatory bail. His prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

HR/-

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

