

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24155 of 2021

Arising Out of PS. Case No.-395 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Afazal Ali @ Afjal Ali Son of Ebrahim Edrishi Resident of village - Ramgarh,
P.S. - Bhagwanpur, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rukshana Begam Wife of Afazal Ali, D/O Alauddin Idrishi Resident of village - Ramgarh, P.S. - Bhagwanpur, District - Kaimur at Bhabua. At present address Village - Jaitpur Kala, Post - Jaitpur Kala, P.S. Bhagwanpur, District - Kaimur at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey
For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-01-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 498(A), 323, 341 of the Indian Penal Code.



The basic accusation is of torture for non-fulfillment of dowry demand and ousting the complainant from her matrimonial house.

It is submitted by learned counsel for the petitioner that the marriage of the petitioner with the complainant was solemnized in the year 2016 and the allegation against the petitioner is false and concocted. It is further submitted that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 14 of the petition.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Kaimur at Bhabua in connection with Complaint



Case No. 395 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the complainant wishes to reside with the petitioner, she will file a petition before learned Court below when it is expected from the learned Court below to issue notice to the petitioner for his appearance before learned court below. On appearance, the petitioner will be under an obligation comply the undertaking given before this Court and will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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