

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17063 of 2022

Arising Out of PS. Case No.-1272 Year-2020 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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ABDUL ZABBAR @ MD. ABDUL JABBAR Son of Md. Halim Khan @
Abdul Halim Resident of Village - Barhandda, P.S. - Minapur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANWARI KHATOON Wife of Abdul Zabbar Resident of Village -
Barhandda, P.S. - Minapur, District- Muzaffarpur, At present daughter of
Md. Harun, residing at Village - Kalyanpur, P.S. - Hathauri, District -
Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Adv.
For the Opposite Party/s : Mr.Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-10-2022 Heard learned counsel for the petitioner and learned APP
for the State.

As per order dated 17.08.2022, notice was issued to O.P.
No.2, which was personally received by her but despite valid
service of notice, nobody appears on her behalf.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 498(A), 323, 325, 406, 147,
379/34 IPC and cognizance was taken only u/s 498(A) IPC.



The allegation against the petitioner is that he in connivance with his family used to torture and assault the informant for demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to grudge. No demand of dowry has been made nor he has tortured the informant. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that earlier the petitioner filed a petition u/s 9 of Hindu Marriage Act for restitution of conjugal life before the Family Court, Muzaffarpur. Thereafter, the complainant has filed the present case. The petitioner is always ready to keep the complainant as a wife with full honor and dignity. Petitioner has no criminal antecedent, which is mentioned at para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in connection
with Complaint Case No.1272 of 2020, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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