

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21971 of 2020

Arising Out of PS. Case No.-992 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Md. Nezamuddin Son of Nasaruddin Mian @ Nasaruddin Resident of
Village- Mehshi Samadpura, P.S.- Mehshi, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Afsana Khatoon Daughter of Juman Mian Resident of Village- Padman
Chapra Ward No. 1, P.S.- Kesariya, District- East Champaran.

... .. Opposite Parties

=====

Appearance :

For the Petitioner/s	:	Mr.Rashmi Jha, Adv.
For the State	:	Dr. Mrityunjaya Kumar Gautam,APP
For the Opp. Party No. 2 :	:	None

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 06-07-2022 On service of notice upon Opp. Party No. 2, she

appeared through the lawyer Mr. Asif Kalim. On repeated calls,

the lawyer for the Opp. Party No. 2 did not turn up to assist the

Court.

Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with

complaint case no. 992 of 2019 in which cognizance has been

taken for the offences punishable under Sections 406 and 498-A

read with 34 of the Indian Penal Code.

While issuing notice to the Opp. Party No. 2 vide

order dated 19.08.2020, the petitioner, who is the husband of the

complainant-Opp. Party No. 2, was granted provisional bail.



The case of the complainant is that she was married to the petitioner on 07.07.2008 in accordance with Muslim customs and, thereafter, she went to her matrimonial house and started conjugal life peacefully. She was blessed with four children. Subsequently, the attitude, conduct and behavior of the accused persons including the petitioner towards the complainant changed. They started harassing her in various ways due to non-fulfillment of demand of homestead land.

Learned counsel for the petitioner submitted that there is no truth behind the allegation. The petitioner has never demanded any dowry nor did he subject her to any cruelty for fulfillment of demand of dowry. Apparently, due to matrimonial discord and incompatibility arising out of family feud of daily life, the present complaint has been instituted.

Learned counsel for the State has opposed the prayer for bail.

Considering the nature of allegation and the submission advanced on behalf of the petitioner, the provisional bail granted to the petitioner vide order dated 19.08.2020 is hereby confirmed.

(Ashwani Kumar Singh, J)

Pradeep/-

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

