

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44088 of 2021**

Arising Out of PS. Case No.-8 Year-2020 Thana- MAHILA P.S. District- Sheikhpura

MD SHAHIL Son of Md. Ali Raza Khan @ Md. Ali Khan Resident of Village
- Urain, P.S.- Kazra, Distt.- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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

ORAL ORDER

5 29-08-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
counsel for the informant.

The petitioner apprehends his arrest in connection with
Sheikhpura Mahila P.S. Case No. 08 of 2020, registered for the
offences punishable under Sections 498 (A), 324, 307, 504, 506/34 of
the Indian Penal Code and 3/4 of D.P. Act.

Allegation as per FIR is that the marriage of informant
Aarju Tamanna was solemnized with the petitioner six years prior to
lodging of the FIR. At the occasion of marriage customary presents
were given. After marriage the accused persons tortured the
informant for non-fulfillment of dowry demand. The petitioner and
his family members demanded rupees five lac cash as dowry and in



case of failure of payment of that demand they threatened to solemnize second marriage of the petitioner with one Raushani Pravin. The petitioner was also in love and affection with Raushani Pravin. It is also alleged that the accused persons sprinkled kerosene oil in order to burnt the informant alive. The informant is passing her miserable days in her native place. Her father has died and she has a female child of two and half years of age.

Learned counsel for the petitioner has submitted that the petitioner is innocent. He is ready to keep the victim with full dignity and honor but she is not willing to reside in his native place and she is insisting to reside at his working place which is not affordable for him. Learned counsel has also submitted that when the informant was working in Qatar, he used to send money for the informant in bank account of her mother. The details whereof has been annexed as annexure-2.

On the other hand, learned counsel for the informant has submitted that the petitioner has relation with one Raushani Pravin who is also accused in this case and he used to torture the informant. The distress warrant has been issued against him even then he is not obeying the order of the court for making payment of the maintenance.

The process of mediation has failed. There is allegation against the petitioner that he has relation with one co-accused Raushani Pravin and he used to torture the informant for non-



fulfillment of dowry of demand.

Considering the above-mentioned facts and circumstances as well as allegations made in the FIR, the petitioner does not deserve the privilege for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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