

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4709 of 2021

Arising Out of PS. Case No.-488 Year-2020 Thana- SUPAUL District- Supaul

Md. Tabarak Son of Md. Mustufa @ Md. Mustuf Resident of Village - Sihe,
Ward No. 13, P.S. - Supaul, District – Supaul Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.AAP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 29-06-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Supaul P.S. Case no. 488 of 2020 instituted for the offence punishable under Sections 363, 364/34 of the Indian Penal Code Section 3/4 of the Dowry Prohibition Act.

As per allegation in the FIR, marriage of the sister of the informant was solemnized with the petitioner in the year 2020 and after about one and a half year, family members of her sasural started to demand a motorcycle or an amount of Rs. one lakh to which she denied then they started to assault and threatened her to kill. On 9.7.2020 one of his relatives, who belongs to same village, had informed the informant that his sister was being assaulted by them and she is missing since 3-4 days. On getting this information, informant visited to his sister's sasural and asked about his sister to the petitioner, who told him not to lodge the FIR, she will come



within 1 to 2 months. After a hectic search, informant could not trace out his sister, who was pregnant of seven months, then he lodged the present case.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband. He is innocent and has committed no offence. The victim lady has disappeared from her own parental place and only on the basis of suspicion, petitioner has been falsely implicated in this case. It is admitted fact that petitioner has performed dowry-free love marriage, so there is no chance of demanding the things from his wife.

Learned APP appearing for the State has opposed the prayer of bail and submitted that victim lady is still trace-less and it appears from perusal of the case diary that several witnesses have supported the prosecution case. Petitioner is husband of the victim lady and he is responsible to take care of her.

Having heard learned counsel for the parties and taking into consideration that petitioner is husband of the victim lady and he has not cared his wife properly along with she is still traceless, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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