

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70436 of 2019

Arising Out of PS. Case No.-135 Year-2014 Thana- NAGAR District- Vaishali

Md. Mustak @ Md. Mostak Son of Lal Mohammad Resident of Village-
Paigambarpur, P.S.- Baniapur, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saleh Jameel @ Chanda W/o Md. Mustak Resident of Village-
Paigambarpur, P.S.- Baniapur, District- Saran At Present daughter of Md.
Jameel, resident of Village- Batwala Akhara, P.S.- Hajipur Town, District-
Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 27-01-2022 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

Sections 498(A), 323, 379, 307, 326, 384, 34 of the



Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation against the petitioner is of torture for non-fulfillment of dowry demand and breaking the teeth of the informant and ousting her from the matrimonial house.

It is submitted by learned counsel for the petitioner that the marriage of the petitioner with the informant was solemnized in the year 2006 and the allegation against the petitioner is false and concocted. It is further submitted that petitioner is ready to keep the informant as wife with full dignity and honour.

Learned counsel appearing on behalf of the informant has stated that informant is not ready to live with the petitioner as the petitioner has been in habit of assaulting the informant and her children. However, learned counsel for the informant prays for some monthly maintenance as the informant is living in her parents' house with her children.



Learned counsel for the petitioner submits that petitioner is a labourer and he is not in a position to pay any monthly maintenance to the informant.

Considering the aforestated facts, this Court is not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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