

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10969 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- MAHILA PS District- Buxar

Md. Jawed @ Md. Jawed Ansari Son Of Md. Salam R/O Village- Gajraon,
Naya Bhojpur, P.S.- Naya Bhojpur, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reshma Khatoon D/O- Md. Shamsul Hoda R/O Village- Dumraon, Ward
No.6, Rahmat Nagar, P.S.- Dumraon, District- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Prasad Gupta, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP
For the Informant	:	Mr. Kumar Dhananjay, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 06-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 498A and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and being husband of the informant, he has been falsely implicated in the present case, it is further submitted that from bare perusal of the allegations as alleged in the FIR it would manifest that no specific allegation of demand of dowry and torture is alleged



rather the allegations are general and omnibus in nature, it is next submitted that the informant does not intend to stay in the joint family setup of the petitioner. Learned counsel further submits that in order to give a serious colour to the case, the informant has falsely alleged that her father-in-law had lustful eyes on her, it is next submitted that in order to give more serious color to the case, it has been alleged that the entire family member, after pouring kerosene oil, tried to set her ablaze but she somehow managed to escape. It has been further submitted that the absurdity of the allegation would manifest from the fact that it was not probable for the informant to flee from the place of occurrence had the entire family members of the petitioner, as alleged, would have tried to set her ablaze by pouring kerosene oil, it is next submitted that the entire family has been ruined because of this case.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner but the learned counsel for the informant is not in a position to rebut the submission of the learned counsel for the petitioner that the allegations against the petitioner are general and omnibus in nature.

Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees 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 Buxar Mahila P.S. Case No. 86 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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