

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18333 of 2023**

Arising Out of PS. Case No.-378 Year-2020 Thana- PURNIA COMPLAINT CASE District-  
Purnia

=====

Tafizul Haque @ Tafijul Haque Son of Aisur Rahman Resident of Village -  
Dholbajja Mohmadia East, P.S.- Kasba, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afsana Khatoon Wife of Tafizul Haque @ Tafijul Haque D/o Md Sajjad Ali,  
Resident of Village - Mohadipur, P.S.- Sadar, District - Purnea.

... .. Opposite Party/s

=====

**Appearance :**

|                     |   |                                 |
|---------------------|---|---------------------------------|
| For the Petitioner  | : | Mr.Ram Prawesh Kumar,Advocate   |
| For the State       | : | Mr.Arvind Kumar Pandey, App, 84 |
| For the opp.party-2 | : | None                            |

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3. 27-07-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State. Despite valid service of notice, nobody  
appears on behalf of complainant/opposite party no. 2.

2. The petitioner apprehends his arrest in a complaint  
case punishable for the offence under Sections 323, 498(A) of  
the Indian Penal Code.

3. It is submitted on behalf of petitioner that petitioner  
happens to be husband of the opposite party no. 2 and present  
case has been lodged due to petty family dispute. There is  
general and omnibus allegation of commission of assault and  
demand of dowry against petitioner. It is further submitted that  
petitioner is ready to keep the complainant/O.P.No.2, as his



wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in **2006(3) PLJR 182**.

4. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1<sup>st</sup> Class, Purnea in connection with C.A.Case No. 378 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

