

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40251 of 2023

Arising Out of PS. Case No.-552 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Md Sharif, son of Md. Idrish Resident of Village- Bhanpur, Police Station-
Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Farhat Saba Wife of Md. Danish Shekh Resident of Village- Bhanpur, P.S.-
Babubarhi, District- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar, Advocate.
For the Opposite Party/s : Mr.Manoj Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Md. Soban Asghar, learned counsel

appearing on behalf of the petitioner and Mr. Manoj Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with C.R. No. 552 of 2022 registered for the offence punishable
under Sections 341, 333, 379, 498(A), 376 and 511 of the Indian
Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. As per the complaint, petitioner along with his son
and other family members had demanded dowry and due to non-
fulfillment of the same, the complainant was subjected to
various sorts of torture and ultimately she was kicked out of her
matrimonial house. The petitioner who is the father-in-law of
the victim has also tried to commit rape upon her.



4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and no such occurrence as alleged ever took place. He is the father-in-law of the victim and he has no concern with the matrimonial relationship of his son and the complainant, though he had tried to resolve their matrimonial dispute. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with C.R. No. 552 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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