

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44894 of 2022**

Arising Out of PS. Case No.-158 Year-2021 Thana- AANDAR District- Siwan

Irfan Ahmad @ Irfan Ahmad Khan, Son of Murtuja Khan, Resident of Village  
- Gaziapur Bedwaliya, P.s.- Andar, Distt.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khusbu Khatun, D/o Sheikh Naushad Ali, Resident of Village - Bhedwaniya,  
P.s.- Andar, Distt.- Siwan.

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                        |
|--------------------------|---|--------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Ashok Kumar, Advocate                              |
| For the Opposite Party/s | : | Mr. Javed Aslam, Advocate<br>Ms. Devika Rani, Advocate |
| For the State            | : | Mr. Umeshanand Pandit, A.P.P.                          |

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

3      13-03-2023                      Heard learned counsels for the petitioner, opposite  
party No. 2 and the State.

Petitioner apprehends arrest in registered for the offences punishable under Sections 498A, 506/34 and other allied sections of the Indian Penal Code and Section  $\frac{3}{4}$  of Dowry Prohibition Act.

As per prosecution case, this petitioner along with other accused persons committed physical and mental torture to the informant due to non-fulfillment of payment of dowry.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case and he never demanded any dowry. As a matter of



fact, this petitioner and the informant were in live-in relationship from July 2020 and the F.I.R. has been lodged after delay of one month and there is no explanation for the same.

Learned counsel for the opposite party No. 2 vehemently opposes the prayer for bail application submitting that this petitioner is husband of the informant and there is specific allegation of torture against him.

Considering the fact that there is specific allegation against the petitioner, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

**(Prabhat Kumar Singh, J)**

Navya/-

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