

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53696 of 2022

Arising Out of PS. Case No.-1128 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Md. Margub @ Marghoob Alam @ Md. Margub Alam @ Chotu Son of
Harun Rasid Resident of village Rahta Ward No.08, P.S. Udakishunganj,
District Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ismat Mohammadi @ Rinki Wife of Md. Margub @ Marghoob Alam @ Md.
Margub Alam @ Chotu D/o Md. Najir Alam, Resident of village - Azad
Nagar, Near Arbic College Madhopada, P.S.- K. Hat (Sahaik), District -
Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Md. Hussain, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP
For O.P. No.2	:	Mr. N.K. Agrawal, Senior Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-06-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection
with C.A. Case No.1128 of 2021, registered for the offences
punishable under Sections 323, 347 and 498(A) of the Indian
Penal Code as well as under Sections 3/4 of the Dowry
Prohibition Act.

The petitioner and other co-accused persons are said
to have tortured the complainant physically and mentally for
non-fulfillment of demand of additional dowry.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that petitioner has solemnized the second marriage with consent of the complainant and the petitioner is still ready to keep the complainant also with full dignity and honour.

Learned Senior Counsel appearing on behalf of opposite party no.2 opposed the prayer for grant of anticipatory bail to the petitioner by submitting that complainant did not give her consent for solemnizing the second marriage.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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