

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10282 of 2021

Arising Out of PS. Case No.-643 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

MD. ALAUDDIN @ ALAUDDIN S/O Barik Husain R/O village - Harpur Barheta, P/S- Sarayranjan District Samastipur at present R/O G175/84, G.F. Panjabi basti Near Nepali Mandir, Baljit Nagar - Patel Nagar, West - Central Delhi 110008.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SAVINA PRAVIN @ SABINA PRAVEEN W/O MD. SHAMSHAD, D/O MD. AAVID KUMARI R/O VILLAGE- HARPUR BARHETA, P.S.- SARAYRANJAN, DIST.-SAMASTIPUR, AT PRESENT R/O MARWARI MOHALLA MIYANCHAK, WAED NO. 22, P.S.- TOWN, DIST.- BEGUSARAI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 11-08-2023 Heard the parties.

2. In compliance of the earlier order of this Court, notice was sent to the opposite party no.2 and the same was received by *Bhabhi* of opposite party no.2. In this regard, a supplementary affidavit containing jointness petition has been filed, whereby at para-2, it is stated that opposite party no.2 is living with his *Bhabhi* jointly at the same house.

3. Considering the same, notice is hereby deemed to be validly served upon the opposite party no.2.

4. The petitioner apprehends his arrest in a case registered



for the offences punishable under Sections 323, 341, 504, 498(A)/34 of the Indian Penal Code.

5. Allegedly, petitioner along with other accused persons is said to have tortured upon the complainant physically and mentally and ousted her from her matrimonial home due to non-fulfillment of the dowry demand. They also tried to commit murder of the complainant by pouring kerosene oil upon her.

6. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is father-in-law of the complainant aged about 72 years. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been residing separately. They have no concern with the alleged occurrence. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State opposed the prayer for bail.

8. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a



period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Complaint Case No. 643 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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