

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58045 of 2019

Arising Out of PS. Case No.-59 Year-2015 Thana- MAHILA PS District- Darbhanga

MD. IRSHADUL HAQUE @ MD. IRSAD Son of Md. Israr Resident of
Village-Lalbag (Ghaskatta), P.S-Town, District-Darbhangha.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sima Praveen Daughter of Md. Aalam Resident of Village-Raj Toli, P.S-
Laheriasarai, District-Darbhangha.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 18-09-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 323, 354, 498A/34 of the Indian Penal Code.

3. Allegation against this petitioner is of torture and harassment for dowry. Petitioner happens to be husband of the informant.

4. It is submitted on behalf of petitioner that petitioner has got clean antecedent. It is further submitted that petitioner never demanded dowry and has been falsely been implicated in this case. There is general and omnibus allegation. 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.**

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 S.D.J.M., Darbhanga, in connection with Mahila P.S. Case No. 59 of 2015, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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