

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68403 of 2022**

Arising Out of PS. Case No.-1189 Year-2019 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

MD. SAIF ALI @ MISTER @ SAIF ALI S/O MD. RAJU Resident of
Village- Kaswa (Kherhi), P.S.- Shahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. BIBI NASRIN W/O SAIF ALI @ MISTER Resident of Village- Kaswa
(Kherhi), P.S.- Shahkund, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

For the Opposite Party/s : Ms. Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-09-2023 Heard the learned counsel for the petitioner as well
as learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 1189 of 2019, registered for the offences punishable under Sections 498 (A) of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

3. As per F.I.R, the complainant is wife of the petitioner. She has filed a case under Section 498(A) and other allied sections of I.P.C as well as Section 3 and 4 of Dowry Prohibition Act with an allegation that the marriage of the couple was solemnized in the year 2013. The accused persons inflicted cruelty for non-fulfillment of dowry demand.



4. For amicable solution of the dispute, the matter was referred to Patna High Court Mediation and Reconciliation Center, but the mediation could not be successful.

5. Learned counsel for the petitioner has submitted that opposite party no. 2 has refused to go to the maternal house and reside with her husband, to which the learned counsel for the opposite party no. 2 submits that as a matter of fact, the petitioner has solemnized his second marriage and it was the reason that he is inflicting cruelty on the opposite party no. 2. She is facing hardship and passing her miserable days in financial scarcity, with her two minor children, having no sufficient means to maintain them.

6. Considering the above mentioned facts and circumstances, in my opinion, the petitioner does not deserve the privilege for anticipatory bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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