

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68363 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- MAHILA PS District- Darbhanga

SYED ZIWAQUAR ASHAR S/O LATE SYED MOBARAK HUSSAIN
Resident of 39/69A Shahamat Husain Lane Hatia Chowk, Ward No.- 34-3
Bhikhanpur, P.S.- Ishakchk, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAJIYA KAMAL D/O MANZAR KAMAL Resident of village- Mohalla-
G.N. Ganj Gudari Bazar, P.S.- Laheriyasarai, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Obaidur Rahman
For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 06-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Darbhanga Sadar Mahila P.S. Case No.20 of 2022 registered under Sections 498(A), 323, 504, 506, 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner (husband) is ready to keep her wife (informant) with dignity and honour. The petitioner has got no criminal antecedent.



Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner stating that earlier this matter was referred to the Patna High Court Mediation and Conciliation Centre for settlement of the dispute between the parties. A report dated 25.08.2023 has been received from the Mediator stating that in spite of best sincere efforts the dispute between the parties could not be resolved through the process of the mediation as a result of which the mediation failed. It is further submitted that there is allegation against the husband of the informant that he along with his family members used to torture and abuse the informant and demanded dowry from her. Therefore, the petitioner does not deserve anticipatory bail.

Having considered the facts and circumstances of the case as well as the nature of allegations made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for bail is rejected.

(Arvind Srivastava, J)

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