

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74967 of 2022

Arising Out of PS. Case No.-761 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MUZAFFAR HUSSAIN S/o Late Abdul Qadir R/o Village- Purab Tola, Sirsi,
P.S.- Rauta, Distt- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahena Khatoon W/o Muzaffar Hussain, D/o Haji Kalimuddin R/o village-
Purab Tola, Sirsi, P.S.- Rauta, Distt- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Md. Helal Ahmad, Advocate
For the Opposite Party/s :	Mr. Ajay Kumar No. 2, APP
For the Complainant :	Mr. Ram Prawesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-07-2023 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State along with learned counsel for the

complainant.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 498A of

the Indian Penal Code and Section 4 of the Muslim Women

(Protection of Rights on Marriage) Act, 2019

3. Learned counsel for the petitioner submits that the

petitioner is a person with clean antecedent and is the husband

of the complainant.

4. Learned counsel for the petitioner next submits that

the petitioner has been falsely implicated in the present case. It

is also submitted that though the present criminal case has been

instituted by the complainant against him, but then complainant



is staying in his house and he has been ousted from home and presently he is staying with his mother. It is next submitted that petitioner does not have any source of income, as such he is not in a position to maintain the complainant.

5. Learned counsel for the complainant rebuts the submission of the learned counsel for the petitioner and submits that the marriage is more than 22 years old and it took the complainant 22 years to institute the case, as she was being tortured right from the beginning, but since she has children to feed, as such she was not in a position to confront the petitioner, but when the children grew up and the complainant could not take the torture of the petitioner, as such she was compelled to file the present complaint case against him.

6. Considering the submissions made by the learned counsel for the complainant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the present anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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