

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80295 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- MAHILA P.S District- West Champaran

Shams Tabrej Alam @ Shams Tabrez Alam @ Taddu Son Of Late Sheikh
Shamshul Hoda Resident Of Ward No 4, Village- Daraul, P.S.- Matiyaria,
District- West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shazia Begum W/O Shams Tabrej Alam @ Shams Tabrez Alam @ Taddu,
D/O Md. Mukhtarul Haq Resident Of Ward No 4, Village- Daraul, P.S.-
Matiyaria, District- West Champaran, Presently Residing At Kolahua
Choutarwa, P.S.- Choutarwa, District- West Champaran- 845307

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra
For the Opposite Party/s : Ms. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A), 494, 341, 323, 379, 354(B), 504, 506 and 34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has filed a Divorce Case being Divorce Case No. 72 of 2023 on



17.05.2023 and, thereafter, on 28.06.2023 the O.P. No. 2 has filed a Complaint Case 1613 of 2023 on 28.06.2023 and on 15.07.2023 the present F.I.R. was lodged. He further submits that the petitioner has not been summoned in the said complaint case, therefore, in para-3 of this application it is mentioned that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that for the same occurrence two cases were lodged 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 Bettiah Mahila P.S. Case No. 38 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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