

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5652 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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AJMAL HUSSAIN @ MD. AJMAL HUSSAIN SON OF KURBAN ALI
RESIDENT OF VILLAGE - KOPIN, P.S. - SITAMARHI, DISTRICT -
NAWADA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. FARZAA WAHID @ FARZANA PRAVEEN WIFE OF AJMAL HUSSIAN,
D/O. WAHID HUSSAIN RESIDENT OF VILLAGE - KOPIN, POST -
BIJUBIGHA, P.S. - SITAMARHI, DISTRICT - NAWADA. AT PRESENT
RESIDENT OF ANJAR NAGAR NAWADA, P.S. - NAWADA, DISTRICT
- NAWADA

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Pramod Kumar Verma, Advocate
For the State	:	Mr. Humayou Ahmad Khan, APP
For Opposite Party No.2	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 12-08-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the Opposite Party No. 2.

3. The petitioner apprehends arrest in a complaint
case registered for the offences punishable under Sections 323,
354 and 498A of the Indian Penal Code.

4. Allegation against the petitioner is of matrimonial
cruelty and of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner



happens to be husband of the complainant/Opposite Party No. 2 and present case has been lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. Petitioner at no point of time demanded any dowry or committed torture. As a matter of fact, the complainant herself is not ready to reside at her matrimonial house. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. 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**. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 J.M. 1st Class, Aurangabad, in connection with Complaint Case No. 243 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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