

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13654 of 2024

Arising Out of PS. Case No.-92 Year-2023 Thana- VALMIKINAGAR District- West
Champaran

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MERAJ KURAISHI @ MD. MERAJ KURAISHI S/O AKBAR ALI
KURAISHI R/O VILLAGE- VIJAYPUR, P.S- VALMIKI NAGAR, DISTT.-
WEST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SAHINA KHATOON W/O MERAJ KURAISHI @ MD. MERAJ
KURAISHI R/O VILLAGE- VIJAYPUR, P.S- VALMIKI NAGAR, DISTT.-
WEST CHAMPARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Milind Kumar Mishra, Advocate
For the State	:	Ms. Meena Singh, APP
For Opposite Party No.2	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. The petitioner, husband of the informant/Opposite
Party No. 2, apprehends his arrest in a case registered for the
offence punishable under Sections 498A, 341, 323, 504, 506
and 34 of the Indian Penal Code.

4. As per the prosecution case, this petitioner is
alleged to have committed torture and harassment upon the
informant/Opposite Party No. 2 due to non-fulfillment of



demand of dowry.

5. Learned counsel appearing on behalf of the petitioner, while denying the allegations made in the F.I.R., submits that the petitioner has been falsely implicated in this case merely because he is husband of the informant/Opposite Party No. 2. It is further submitted that as a matter of fact, the informant/Opposite Party No. 2 is residing in the house of the petitioner along with her son and this petitioner is residing in another house on rent. However, it is submitted that the petitioner is ready to keep the informant/Opposite Party No. 2 at her matrimonial house with honour and dignity. It is further submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon the judgment of this Hon'ble 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. Considering the aforesaid facts and circumstances of the case, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above,



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 the learned Additional Chief Judicial Magistrate 1st, Bagaha West Champaran, in connection with Valmiki Nagar P.S. Case No. 92 of 2023, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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