

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9987 of 2024

Arising Out of PS. Case No.-205 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

=====

Akhtar Ali S/O Haidar Nadaf Resident Of Village - Raipur, Ward No. 05,
Police Station - Waris Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shahnaz Khatoon W/O Akhtar Ali R/O Village- Maniyarpur, P.S- Waris Nagar, Distt.- Samastipur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Thakur Brajesh Singh, Md. Anwar
For the State	:	Ms. Gulnar Begum, APP
For the OP-2	:	None

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-06-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State. Despite valid service of notice, nobody appears on behalf of complainant /opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2, apprehends his arrest in a complaint case punishable for the offence under Section 498(A), 323 of the Indian Penal Code.

3. As per complaint case, the complainant was married with this petitioner in the year 2016 and sometime after the marriage, the complainant was subjected to torture and harassment by this petitioner and other in-laws family members due to non-fulfillment of Rs. 3 lacs, as additional demand of dowry, and lastly, she alongwith her three children were ousted from the matrimonial house.



4. Learned counsel for the petitioner, while denying the allegations made in the F.I.R., submits that petitioner has been falsely implicated in this case merely because he happens to be husband of the complainant/opposite party no. 2. However, he is ready to keep opposite party no. 2 and children with full honour and dignity. Moreover, the case is triable by the Magistrate. The petitioner has further relied upon the 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 has got clean antecedent.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let this 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 C.J.M., Samastipur in connection with C.R. No. 205/2022, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

