

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20119 of 2024

Arising Out of PS. Case No.-2576 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Ali Son Of Abdul Mian R/O-Near Camp Jail, Phulwarisharif, P.S.-
HAWAI Adda In The District Of Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Afsana Khatoon Wife Of Md. Ali D/O-Md. Liyakat Ali @ Biyakat Ali, R/O-
Gate No. 95, Bans Kothi, Digha, P.S.-DIGHA In The District Of Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sunil Kumar, Advocate
For the Opposite Party/s :	Mr. Mithlesh Kumar Khare, A.P.P.
	Mr. Vijay Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-06-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in case registered for the offences punishable under Sections 406, 498(A) of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, complainant was married with the petitioner on 05.03.2018 but after two months, all the accused persons including this petitioner started demanding dowry and complainant was subjected to cruelty and torture due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the complainant has earlier filed Complaint Case No. 2470 of 2019



before the learned court below on 17.06.2019 and thereafter again she filed the present case on 22.06.2019 alleging the same allegations against the accused persons including the petitioner. He next submits that the complainant had filed a petition against the accused persons before the Mahila P. S. Gardanibagh in which she has categorically stated that she does not want to reside with the petitioner and thereafter entire articles given in her marriage were returned by the petitioner.

5. However, learned counsel for the O.P. No. 2 vehemently opposed the bail application and submitted that petitioner is husband of the complainant and after marriage she was subjected to torture and cruelty due to non-fulfillment of demand of dowry and was assaulted during the pregnancy as a result of which she suffered from miscarriage.

6. Considering the nature of accusation, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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