

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26002 of 2024

Arising Out of PS. Case No.-663 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Arshad Hussain SON OF MD SHAIKH @ SAHIKH RESIDENT OF
VILLAGE- ISIYAN, PS- CHAINPUR, DIST- KAIMUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. ROJI KHATOON WIFE OF ARSHAND HUSSAIN RESIDENT OF
VILLAGE- AMADADH, PS- SANJHAULI, DIST- ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dhaneshwar Prasad Gupta
For the State	:	Mr.Surendra Kumar, APP
For the O.P. No.2	:	None

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP
for the State. However, despite valid service of notice upon the
O.P. No.2, nobody appears on her behalf.

2. The petitioner apprehends his arrest in a case registered
under sections 498(A) of the IPC.

3. Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment of demand of dowry.

4. It is submitted by learned counsel for the petitioner that
petitioner is an innocent person and has committed no offence.
Petitioner has never made any dowry demand and has been
falsely implicated in the present case due to grudge. The
petitioner has 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. It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

5. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Complaint Case No.663/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.
6. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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