

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32209 of 2024

Arising Out of PS. Case No.-779 Year-2015 Thana- GAYA COMPLAINT CASE District-
Gaya

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Abdul Aziz SON OF FAKHRUDDIN MIAN VILLAGE- MANJHAULI, PS-
MOHANPUR, DIST- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. RUKHSHANA KHATOON WIFE OF ABDUL AZIZ VILLAGE-
MANJHAULI, PS- MOHANPUR, DIST- GAYA P/A- KAJICHAK, PS-
MAGADH UNIVERSITY, BODHGYA, DIST- GAYA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh, Adv.
For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner, being husband, apprehends his arrest in a
case registered in connection with Complaint Case No.
779/2015 for the offence punishable under sections 498(A), 323
and 324 of the Indian Penal Code and section 3/4 of the Dowry
Prohibition Act.

3. As per prosecution case, this petitioner along with
his family members are alleged to have tortured her due to non
fulfillment of demand of dowry and ultimately ousted her from
her matrimonial home after depriving of her belongings.



4. Learned counsel for the petitioner while denying the allegations, submits that the petitioner has falsely been implicated in this case only because he is the husband of the victim. However, he is ready to keep the victim with full honour and dignity.

5. The petitioner has further relied upon a judgment of this Court passed in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar* as reported in *2006(3) PLJR 182*. Petitioner claims clean antecedent.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within 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 Court of Sub-Divisional Judicial Magistrate, Gaya in connection with Complaint Case No. 779/2015, subject to the conditions laid down under section 438 of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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