

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31696 of 2024

Arising Out of PS. Case No.-92 Year-2022 Thana- SAHAJITPUR District- Saran

Layaqualt Hussain @ Aliykat Hussain Son of Najabuddin Ansari Resident
Of Village - Shripur, Police Station - Sahajitpur, Dist.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sakhila Khatoon Wife of Naeem Ansari R/O Vill.- Sareya, P.S.- Baniapur,
Dist.- Saran
3. Najma Khatoon Not Given R/O Vill.- Shripur, P.S.- Sahajitpur, Dist.- Saran.
At present R/O Vill.- Sareya, P.S.- Baniapur, Dist.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Md Anis Akhtar, Adv.
For the Opposite Party/s :	Md. Iftekhar Mahmood, APP
	Mr. Mirityunjay Kumar, Adv.
	Mr. Manjeet Kumar Bishen, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-08-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in connection with
Sahajitpur P.S. Case No. 92 of 2022 registered under Sections
341, 323, 498(A), 365 and 504 of the Indian Penal Code.

3. As per prosecution case, the daughter of informant,
namely, Najma Khatoon was married to this petitioner. It is
alleged that this petitioner used to abuse, assault and torture
informant's daughter and also did not provide food and lodging
to her. It is further alleged that the petitioner has made
informant's daughter flee from home and there has been no trace



of her for the last 8 to 10 days. The informant searched for her daughter but could not find her.

4. Submission of learned counsel for the petitioner is that petitioner is the husband of daughter of informant and she is the second wife of the petitioner. As a matter of fact, the daughter of informant always keeps running from home, and on earlier occasions, also she ran away from the petitioner's house. It is further submitted that on April 25, 2022, the mother of the petitioner came to know about the missing of the petitioner's second wife, i.e., Najma Khatoon, and since on that day the petitioner was on duty in Tamil Nadu and there was no one at the petitioner's home except his old mother and minor children from the first wife, the mother of the petitioner, namely, Aaesha Bibi, immediately informed the Sahajitpur Police Station and gave a written application to the S.H.O., but the police did not register the F.I.R. Petitioner claims clean antecedent.

5. Learned counsels for the state as well as for the opposite parties vehemently opposed the prayer for bail and submit that petitioner is the husband of the daughter of informant, and there is a specific allegation against the petitioner of committing torture upon the informant's daughter and having made the informant's daughter flee from home, and till today the daughter



of informant has been traceless. Hence, he does not deserve to be enlarged on anticipatory bail.

6. Having considered the nature of accusation and the submissions advanced on behalf of the parties, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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