

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38285 of 2024

Arising Out of PS. Case No.-1193 Year-2019 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Md. Samad @ Samad Son Of Rakib R/O Vill.- Barbatta, P.S.- Amaur, Dist.-
Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabnam Ara W/O Md. Samad, D/O Md. Razzak R/O Vill.- Barbatta, P.O.-
Bishanpur, P.S.- Amaur, Dist.- Purnia

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Adv.
For the Opposite Party/s : Mr. Ramesh Chandra, APP
Mr. Manish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-10-2024 Earlier, the matter was referred to Mediation Centre,

but the dispute between the parties could not be settled through

the process of mediation and as such, mediation failed (report at

flag 'M').

2. Heard learned counsel for the petitioner, learned A.P.P.

for the State and learned counsel for the opposite party No. 2.

3. The petitioner apprehends his arrest in connection with

Complaint Case No. 1193 of 2019 for the offences punishable

under Section 498A of the Indian Penal Code.

4. Allegation against the petitioner is of matrimonial

cruelty and demand of dowry.

5. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in the present case. Further submission is that at no point of time petitioner performed marriage with the complainant. Petitioner has never assaulted the complainant nor demanded any dowry. Petitioner claims clean antecedent.

6. Learned counsel appearing on behalf of the opposite party no. 2 vehemently opposed the prayer for bail and submits that petitioner is husband of opposite party No. 2 and there is specific allegation against him of assault and demand of dowry.

7. On being asked, petitioner showed inability to pay maintenance to opposite party No. 2.

8. In view of the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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