

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38488 of 2024**

Arising Out of PS. Case No.-752 Year-2023 Thana- SARAN COMPLAINT CASE District-  
Saran

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Irfan Hasmi @ Irfan Ansari @ Irfan S/o Nasir Hasmi @ Md. Nasir Resident  
of Village-Karimchak Khanua Nala, P.S.-Chapra Town District- Saran at  
Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Zainab Khatun D/O Mohd. Nazir Alam W/O Irfan Hasmi Resident of  
Village- Sheetalpur Bazar, P.S.-Dighwara, District-Saran at Chapra

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate  
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      19-08-2024                      Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State. Despite valid service of notice,  
  
nobody appears on behalf of opposite party no. 2.

2. The petitioner, husband of the victim,  
  
apprehends his arrest in a case punishable for the offence under  
  
Sections 323 , 498(A) and 504 of the Indian Penal Code .

3. As per complaint, the daughter of the  
  
complainant was married with this petitioner in the year 2023  
  
and after the marriage, when she went to her matrimonial house,



she was subjected to torture and cruelty by this petitioner and other in-laws family members due to non-fulfillment of demand of dowry and lastly, she was ousted from her matrimonial house .

4. Learned counsel for the petitioner, while denying the allegations made in the Complaint, submits that petitioner has been falsely implicated in this case merely because he happens to be husband of the victim. However, he is ready to keep the victim with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further 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*** . Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of 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 Judicial Magistrate First Class Saran at Chapra in connection with Complaint Case No. 752 of 2023 , subject to the conditions, as laid down under Section 438(2) of the Code of



Criminal Procedure .

(Prabhat Kumar Singh, J)

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