

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53917 of 2023

Arising Out of PS. Case No.-668 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Naushad S/O Md. Shami Ahmad R/O Village- Barbigha Haizabad @
Faizabad Near Masjid, P.S- Barbigha, Distt.- Sheikhpura.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Rukshar Parveen W/O Md. Naushad, D/O Md. Mano R/O Village- Barbiha Haizabad Near Masjid, P.S- Barbigha, Distt.- Sheikhpura, At Present Resident Of Village- Imali Tal Govindpur, P.S- Fatuha, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 04-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 498A, 354A, 341/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the instant case. It is further submitted that from perusal of the allegations as alleged in the complaint case, it would manifest that the thrust of the allegation is against the family members of the petitioner and not against the petitioner. It is



further submitted that at best what the informant alleges against the petitioner, who is her husband, is that he did not object the torture being inflicted on opposite party No.2 by his family member, but then, the opposite party No.2 does not allege that she was being tortured at the hands of the petitioner.

4. It is next submitted that petitioner still is willing to keep the opposite party No.2 with honour and dignity.

5. Learned counsel appearing on behalf of the opposite party No.2 is not in a position to rebut the submission made by the learned counsel for the petitioner on behalf of the petitioner, but then submits that the opposite party No.2 does not intend to revive the conjugal relationship.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case



No. 668 of 2022 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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