

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59152 of 2024

Arising Out of PS. Case No.-82 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Md. Raghieb Khan son of Md. Rustam Khan R/o Vill- Ramanuj Ganj PS-
Ramanuj Ganj District- Balroy Pur, Chhattisgarh

... .. Petitioner/s

Versus

1.The State of Bihar
2. Gulafrin Naz, D/o Late Fakir Mohammad Khan @ Anu Khan, R/o Kerpa,
Post Ramdihra, P.S. Amjhor, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Deovind Kumar Singh, Advocate
For the State	:	Md. Iftexhar Mahmood, APP
For the Complainant	:	Mr. Rabindra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-09-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Complaint Case no.82 of 2023 registered for the offence punishable under sections 498A and 323 of the Indian Penal Code.

3. As per the prosecution case, the complainant states that she was married to the petitioner on 2.6.2021. At the time of marriage, various articles by way of dowry including Rs.11 lacs for car and Rs.5 lacs for other articles including ornaments were given. The complainant was tortured for further demand of dowry to the tune of Rs.10 lacs and ultimately she was forced out of the house. She further states that she was



threatened that the petitioner would enter into a second marriage.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegations in the complaint are all false and concocted. The petitioner has all along wanted to settle the matter amicably, however it is the complainant who is not interested in residing in her matrimonial house. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the complainant. Learned counsel for the complainant submits that the petitioner who happens to be the husband of the complainant is not only named in the FIR but there is direct allegation against him of torture, assault and demand of dowry. Referring to the order of the learned trial Court, it is submitted that even on taking the complainant to her matrimonial house she was subjected to torture and cruelty.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the complaint against the petitioner, cognizance having been taken by the learned trial Court under sections 323 and 498A of the Indian Penal Code



and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no.82 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Dehri, Rohtas, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

Saurabh/-

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