

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78058 of 2023

Arising Out of PS. Case No.-2840 Year-2018 Thana- COMPLAINT CASE District- Araria

MD. SAHZAD ALAM @ MD. SHAHAJAD S/O LATE SHAUKAT R/O
VILLAGE- BALWAT, P.S- TARABARI, DISTT.- ARARIA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. BIBI NILOPHAR W/O MD. SAHZAD ALAM, D/O MD. ABDU SSAMAD
R/O BALWAT, P.S- TARABARI, DISTT.- ARARIA, PRESENTLY
RESIDING VILLAGE- BATURBARI, TOLA AKALI, P.S- TARABARI,
DISTT.- ARARIA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhav Jha, Advocate
For the Opposite Party/s	:	Mr.Ramesh Chandra, APP
For the complainant	:	Md. Naushad Uzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 18-10-2024 Heard learned counsel for the petitioner, the State and
the complainant.

2. The petitioner is apprehending arrest in connection
with Araria Complaint Case No. 2840C of 2018 instituted under
Section 498A of the Indian Penal Code and 4 of the D.P. Act
filed by the complainant, Bibi Nilophar.

3. As per the prosecution case, the complainant got
married with the petitioner eight years ago but was tortured for
dowry demanding Rs. 1,00,000/- alongwith a buffalo. The
complainant informed that her family is not in a position to
fulfill the demand whereafter, she was subjected to mental and
physical harassment. This led to 'Panchayati' several times but



the accused informed the 'Panchayat' that unless the demand is fulfilled, this harassment will continue. At one point of time, she was pushed on burning stove causing injuries on her hands and leg. She was also subjected to strangulation by putting a towel around her neck. This was informed to the parents, she was rescued and the allegation is that the petitioner wants to perform second marriage.

4. In this case, earlier a coordinate bench and later this Court also tried to prevail upon the parties to come to an amicable settlement but the petitioner despite incorporating in the petition that he will be keeping the wife with full dignity and honour, chose to look the other way.

5. The allegations are grave, she was pushed before the burning stove, got burn injuries and finally the petitioner tried to strangle by putting a towel around her neck. She rescued herself anyhow.

6. In that circumstance, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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