

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1833 of 2024

Arising Out of PS. Case No.-223 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Md. Raqib @ Md. Rakib, S/O Md. Yasim, R/o Village- Simri, P.S.- Bakhari,
Dist. Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Apshana Khatoon W/O Md. Raqib @ Md. Rakib Village- Simari, P.S.-
Bakhari, Dist. Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Braj Bhusan Poddar, Adv.
For the State	:	Mr. Kumar Ranjit Ranjan, APP
For the O.P. No. 2	:	None.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 26-10-2024 Heard Mr. Braj Bhusan Poddar, learned counsel for

the petitioner and Mr. Kumar Ranjit Ranjan, learned APP for the

State.

2. The petitioner apprehends his arrest in
connection with Complaint Case No. 223C of 2023 dated
13.02.2023 for the offences punishable under Sections 498(A)
and 406/34 of the Indian Penal Code and Section 4 of the
Dowry Prohibition Act.

3. The main submissions advanced by learned
counsel for the petitioner are that the instant matter is based on
complaint filed by O.P. No. 2, who happens to be the wife of
this petitioner and after marriage, the O.P. No. 2 lived in the



company of the petitioner only for two months, in fact the O.P. No. 2 had earlier married to the cousin brother of the petitioner and after death of her former husband, she solemnized marriage with this petitioner but in the present time, she has started residing in the house of her late former husband and in this regard, paragraph No. 5 of the complaint petition filed by O.P. No. 2 may be perused. It is further submitted that the complainant has not turned up in person before this Court though earlier she has appeared through her counsel and today no one is present on behalf of her which shows that she has no interest in any conciliation. It is further submitted that there is no any medical evidence to support the allegation of physical cruelty.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the facts and circumstances of this case as well as above submissions, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two



sureties of the like amount each to the satisfaction of the Court concerned in connection with Complaint Case No. 223C of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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