

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.663 of 2024

Arising Out of PS. Case No.-138 Year-2020 Thana- WARISNAGAR District- Samastipur

Md Rizwan @ Mohammad Rizwan Son of Md. Najir R/o vill - Rupanpatti,
P.S. - Sakra, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mumtaz Praveen W/o Md. Rizwan, D/o Md. Murtuza R/o vill - Nagarwasti Kila, P.S. - Warishnagar, Distt. - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nachiketa Jha
For the Opposite Party/s	:	Mr. Shahabuddin Azeem @ S. Azeem
For the Informant	:	Mr. Jay Karan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 323, 341, 498A, 504 of the Indian Penal Code as well as u/s $\frac{3}{4}$ of Dowry Prohibition Act.

3. The petitioner, who is the husband of the informant is said to have assaulted the informant and ousted her out of her matrimonial house on the pretext of non-fulfillment of demand for dowry.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. Earlier the informant



lodged a complaint case against the petitioner in which he has already been granted bail thereafter, the informant lodged the present case against the petitioner for the same offence. He further submits that the allegation of demand of dowry against the petitioner is false and fabricated. Petitioner has one criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail. It is submitted by the learned counsel for the informant that there is allegation of demand of dowry against the petitioner and the informant has filed a maintenance case against the petitioner but the petitioner has not appeared in it.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Warisnagar (Mathurapur) P.S. Case No.138 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. However, the petitioner is directed to appear in the maintenance case in the court on each and every date and in the event of failure on two consecutive dates, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Anjani Kumar Sharan, J)

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