

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69231 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- COMPLAINT CASE District- Araria

Md. Akhtar Son of Md. Sahabuddin Resident of Village- Hasanpur, Ward No. 06, P.S.- Raniganj, Dist.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tairun Khatoon W/O Md. Akhtar, D/O Feku Miyan Resident of Village- Hasanpur, Ward No. 03, P.S.- Bausi Basaity, Dist.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Harun Quareshi, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 15-04-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The application of anticipatory bail has been filed apprehending his arrest in connection with Complaint Case No.194C of 2023 registered under Section 498A of the Indian Penal Code.

3. As per the prosecution case, the informant states that she married with the petitioner in the year 2018. After some days of marriage, all accused persons including the petitioners herein started to assault the informant's daughter mentally and physically on account of non-fulfillment of demand of dowry and ultimately ousted her from matrimonial house.



4. It is submitted by learned counsel for the petitioner that despite valid service of notice, the opposite party no. 2 has not appeared. There is general and omnibus allegation leveled against him in the F.I.R with regard to demand of dowry and torture. The petitioner was ready to keep his wife with full dignity but his wife (complainant) refused to stay with him and left her matrimonial house out of her own will and married someone else. He was directed to file supplementary affidavit regarding the specific date of second marriage of opposite party no. 2 along with the name of person with whom she solemnized her second marriage. However, he further submits that he has not been able to gather information regarding her date of second marriage and the name and address of the person to whom she has got married.

5. The application for bail is opposed by learned APP for the State.

6. Considering the above mentioned facts and circumstances of the case and especially the fact that the opposite party no. 2 has chosen not to appear despite valid service of notice, 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.194C 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 Chief Judicial Magistrate, Araria, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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