

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82494 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- AAJAM NAGAR District- Katihar

Md. Rahid S/o Md. Kalam Resident of Village - Dhoom Tola, P.S. - Abadpur,
Distt.- Katihar

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Arshadi Khatoon W/o Md. Rahid, D/o Late Ansar Alam R/o vill - Nimaul,
P.S. - Azamnagar, Distt.- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Bimal Kumar, Advocate
For the State	:	Mr. Shyam Bihari Singh, APP
For the O.P.-2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 22-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a case registered for the offence under
Sections 498-A/34 of the Indian Penal Code and Sections 3/4
of the Dowry Prohibition Act.

3. As per prosecution case, the informant was married
with petitioner in the year 2019 and at the time of her marriage,
her mother gave cash of Rs. 4 lakhs and gold & silver
ornaments, as gift, but soon after the marriage, all the accused
persons including petitioner tortured informant for additional



demand of dowry and ultimately, ousted her from her matrimonial home.

4. While denying the allegations made in the present petition, learned counsel for the petitioner submits that petitioner has been falsely implicated in this case merely because he happens to be husband of opposite party no. 2. At no point of time, petitioner demanded any dowry or committed torture with opposite party no. 2 and is still ready to keep the opposite party no. 2 with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar***, reported in ***2006(3) PLJR 182***.

5. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is allowed.

6. Accordingly, in the event of arrest or surrender within a period of eight weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of **Rs.10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Katihar in connection with Azamnagar P.S. Case No. 54 of 2024, subject to the conditions, as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

