

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 8448 of 2022

Anwarul Haque Petitioner
Versus
1. The State of Jharkhand
2. Md. Shkil Anwar Opp. Parties

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. Awinash Kumar, Advocate
For the State : Mr. Tapas Roy, A.P.P.

04/ 03.11.2022 Heard learned counsel for the applicant and learned A.P.P. for the State.

This bail application has been filed on behalf of the applicant—Anwarul Haque with prayer to release on bail in connection with Mango P.S. Case No. 141 of 2019, registered under Sections 498A/323/313/354/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act, pending in the court of the Judicial Magistrate, 1st Class, Jamshedpur.

Learned counsel for the applicant has submitted that the F.I.R. of this case was lodged against seven named accused including the applicant by the victim complainant herself with the allegation that her '**Nikah**' was solemnized with the Anwarul Haque on 02.12.2007 and thereafter all the named accused had made demand of Rs.5,00,000/- in cash in additional dowry and for non-fulfilment of the same, she was subjected to cruelty. Her husband was also given 2,00,000/- rupees for job in Sahudi Arab and still the complainant was tortured mentally and physically. Child in her womb was also miscarried.

Learned Counsel for the applicant has further submitted that allegations made against all the named accused in the F.I.R. are general and omnibus. The applicant is the husband of complainant. As per F.I.R. allegations, the applicant usually remained in Sahudi Arab and he or his family members never made any alleged demand of dowry or subjected to cruelty. The applicant has been languishing in Jail since 02.06.2022.

Learned A.P.P. appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicant and contended that the prosecution version is also supported with the statement of the complainant herself.

In view of the submissions made and materials on record, the bail application of the applicant is hereby allowed. Let the applicant be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the court concerned in aforesaid case.

I.A.No. 8890 of 2022 also stands disposed of.

(Subhash Chand, J.)