

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8268 of 2015

Arising Out of PS.Case No. -51 Year- 2013 Thana -KAMTAUL District- DARBHANGA

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Md. Imdadullah Makki Son of Japhir Ansari, Resident of Village - Tekrar,
Police Station - Kamtaul, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Yasmin Praveen Wife of Imdadullah Makki, and daughter of Noor Alam, Resident of Village - Mahamadpur, Police Station - Kamtaul, District - Darbhanga.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 01-04-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Kamtaul P.S. Case No. 51 of 2013 registered under Sections- 341, 324, 307 & 498A/34 of the Indian Penal Code Sections- 498(A), 323, 324, 379, 149 of the Indian Penal Code and Section- 3/4 of Dowry Prohibition Act.

The contention on behalf of the petitioner is that earlier the prayer for anticipatory bail of the petitioner was rejected by this court vide order dated 19-01-2015 passed in Cr. Misc. No. 2109 of 2015 taking note of the fact that Kamtaul P.S. Case No. 51 of 2013 had been registered under Sections-341, 324, 307 & 498A/34 of the Indian Penal Code but after due investigation, police submitted charge sheet for the offences under

Sections-341, 323 & 498A/34 of the Indian Penal Code. It is further contended by him that as a matter of fact, the informant is residing at her parental home since long and no dagger injury was found on her person.

I am not at all convinced with the above-said submissions and taking note of the facts and circumstances of the case as well as allegation, levelled against the petitioner and also keeping in mind that the petitioner happens to be husband of the informant, I am not inclined to grant privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with Kamtaul P.S. Case No. 51 of 2013 pending in the court of learned Sub Divisional Judicial Magistrate, Darbhanga is again rejected.

However, the petitioner is directed to surrender before the court below within four weeks from today and if the petitioner does so and seeks regular bail, his regular bail shall be considered on its own merit without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

A.K.V./-

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