

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24182 of 2014

Arising Out of PS.Case No. -793 Year- 2012 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Md. Iblur Hassan @ Md. Ibnul Hassan S/o Md. Kamrul Hassan Resident
of village- Morsanda, P.S.- Falka, Dist.- Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Farjandana W/o Iblur Hassan @ Md. Ibnul Hassan D/o Mahsuf
Alam, Resident of village- Morsanda, P.S.- Falka, Dist.- Katihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Sanjay Kumar Sharma(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 27-01-2015 Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under sections 498A, 406, 420, 323, 384 and 506 of the I.P.C and section 3/4 of Dowry Prohibition Act.

Allegedly, the petitioner being husband of the Complainant started torturing her for not fulfilling the demand of Rs. 2,00,000/- and further sold her five acres of land and ousted her from in-laws house.

Submission is that the petitioner has filed matrimonial case for restitution of conjugal right and after receiving the notice

she filed the case on wrong allegation. The Complainant has herself sold the land which was gifted by her father-in-law. As a matter of fact, she is not ready to live with the petitioner and no dowry was ever demanded, to which the learned A.P.P. opposes.

Considering the submissions urged at the bar, going through the records and noticing that the petitioner has earlier filed Matrimonial Case No. 131 of 2012 for restitution of conjugal right and thereafter the complaint case has been filed by the Complainant and as such in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. S.D.J.M. Katihar in Complaint Case No. 793 of 2012, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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