

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25913 of 2015

Arising Out of PS.Case No. -640 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Md. Sajeem, Son of Zamiruddin, Resident of Village- Barhakhor, Post
Office- Sankola, Police Station- Abadpur, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mano Khatoon wife of Md. Sanjeev, daughter of Md. Aabad Ali,
Resident of Village- Barhakhor, Post Office- Sankola, Police Station-
Abadpur, District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Patil
For the Opposite Party/s Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 30.07.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the complainant and
admittedly, marriage of the petitioner was solemnized with the
complainant on 25.2.2009 but it is alleged that the petitioner and other
accused started making illegal demand and put the complainant into
cruelty due to non-fulfillment of the aforesaid demand. Moreover,
petitioner has solemnized his second marriage.

From perusal of the impugned order of learned Sessions
Judge, Katihar, it appears that learned Sessions Judge directed the
petitioner to surrender before the court below. Furthermore, learned
Sessions Judge observed in the impugned order that if the petitioner
makes a proposal of keeping the complainant with him before the

court below and if the complainant accepts the aforesaid proposal, the concerned court shall pass appropriate order in accordance with law taking note of the aforesaid fact.

Taking into consideration the above stated facts, I do not feel it proper to extend the privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with Complaint case no. 640/2014 pending in the court of the Chief Judicial Magistrate, Katihar/ concerned court stands rejected with this observation that the petitioner must obey the direction of the learned Sessions Judge, Katihar and if the petitioner surrenders before the court below within four weeks from today, learned court below shall proceed with the matter in accordance with the direction given by the learned Sessions Judge, Katihar vide order dated 31.3.2015.

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(Hemant Kumar Srivastava,J)

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