

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22829 of 2015

Arising Out of PS.Case No. -1829 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Sah Jamal @ Md. Shah Jamal Son of Md. Anisur Rahman, resident
of village- Jhimi Istambarar, P.S.- K. Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. amera Khatoon Daughter of Md. Malik resident of village- Begampur,
P.S.- K. Nagar, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand
For the Opposite Party/s : Mr. Nirmal Kumar Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 376 and 498(A) of the Indian Penal
Code.

The allegation against the petitioner is of committing
rape upon the complainant and also torturing the complainant for
non fulfillment of demand of dowry.

On behalf of the petitioner it has been submitted that the
petitioner has got no criminal antecedent. From perusal of
Annexure 2 it would appear that a complaint case was filed on
09.05.2014 for offence under Section 364 of the Indian Penal
Code alleging therein that the petitioner has been abducted for the

purpose of marriage. The present case is in retaliation to Annexure 2, which was instituted on 30.05.2014 making an allegation that the petitioner being the husband of the complainant has been torturing the complainant. It is also submitted that no explanation has been made on behalf of the complainant regarding delay in institution of the case.

On behalf of the State and the Complainant , it has been submitted that the petitioner is the husband of the complainant and named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 learned C.J.M.,Purnea in connection with Complaint Case No. 1829 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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