

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42135 of 2014

Arising Out of PS.Case No. -1013 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Noor Hussain S/o Late Abdur Rahman Resident of Village
Gowagachhi Seiz Tola, P.S. Manihari, District Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. Rukhsana Khatoon Ex. W/o Md. Noor Hussain, D/o Md. Mojibur
Rahman R/o Village Gowagachhi Seiz Tola, P.S. Manihari, P.O.
Kantakosh, District Katihar, At present R/o Village Bolia Diyara, P.O. R.N.
Bolia, P.S. manihari, District Katihar.

.... Opposite Parties/ Complainant

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Appearance :

For the Petitioner : Mr. Md. Ataur Rahman
For the Opposite Parties : Mr. Anusaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 22-05-2015 Heard both sides.

The petitioner is the husband of the complainant and
seeks anticipatory bail in connection with complaint case no.
1013 of 2013.

Notice was issued to the complainant but no one has
appeared on her behalf to oppose the prayer.

In paragraph nos. 9 and 10 the petitioner has stated as
under.

“9. That, the petitioner is ready
to keep his wife(complainant) with full
honour and dignity.

10. That, it is submitted that
complainant has been solemnized her
second marriage with another person namely

Md. Mojahid S/o Md. Maniruddin (Urf Bhola) R/o village Manoharpur, Post Narayanpur, P.S. Manihari, Dist. Katihar.”

In the facts and circumstances of the case, I am inclined to grant the petitioner the privilege of anticipatory bail. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Katihar in connection with Complaint case no. 1013/2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court

shall have liberty to cancel the bail
bonds of the petitioner and secure
his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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