

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28050 of 2014

Arising Out of Complaint .Case No. -864 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Kalam Mian Son of Late Samsuddin Mian Resident of Village-Karsahiya
Balua, P.S.-Dhaka, District-East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. Johari Khatoon Daughter of Islam Mian Resident of Village-Parsa, P.S.-
Pakarideyal, District-East Champaran.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma

For the Opposite Parties : Mr. Narsingh Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 25-06-2015 Heard both sides.

Petitioner apprehends his arrest in connection with
Complaint case no. C-864 of 2012 registered under diverse penal
provisions of the IPC including Section 498A of the IPC.

It is alleged that the complainant was tortured on
account of non fulfillment of demand of dowry. The petitioner
allegedly married second time. Notice was issued to the opposite
party no.2 but no one has appeared on her behalf to oppose the
prayer.

A supplementary affidavit has been filed strongly
denying the allegation that the petitioner performed the second

marriage with other lady.

Learned counsel for the petitioner states that if given the privilege of anticipatory bail, he shall make positive efforts to resolve the matrimonial discord and live with the complainant peacefully as husband and wife in the rest of life.

In the facts and circumstances of the case, 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 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 Judicial Magistrate 1st Class, East Champaran at Motihari, in connection with Trial no. 3326 of 2013 arising out of Complaint case no. C-864 of 2012, 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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