

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13344 of 2015

Arising Out of PS.Case No. -2441 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

Md. Mahtab Alam, son of Md. Qasim

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. M.Dayal(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code.

The basic accusation is of torture.

Though, notices were issued to the complainant-opposite party no.2 on 01.04.2015, but it appears from the office notes dated 07.08.2015 that ordinary process of notice, has been served upon the complainant-opposite party no.2, through the learned counsel of the complainant appearing in the lower court below.

None is appearing on behalf of complainant-opposite party no.2.

A supplementary affidavit has been filed to the effect that the complainant-opposite party no.2 has performed second marriage with one Md. Kalim, son of Shafaru, resident of Village- Kuriyapar (Mazlumganj), P.S.-Chandradai, Distt.- Araria.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No.2441 C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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