

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40151 of 2014

Arising Out of PS.Case No. -2420 Year- 2013 Thana -SIWAN COMPLAINT CASE District-
SIWAN

Md. Chhotey @ Jamir Ahmad @ Chhotey, Son of Moinuddin Sah, R/o
Village -Dilawarpur, P.S.- Andar, District Siwan Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Syed Md. Iqbal Hasan Rahmani, Advocate

For the Opposite Party/s : Mr. Anusaiya Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel appearing on behalf of
the complainant.

The petitioner seeks anticipatory bail in connection
with Complaint Case No. 2420 of 2013.

It has been contended that it is an out and out a false
case. The marriage of the complainant was solemnized with the
petitioner on 10th July, 2003. The complainant had instituted a
police case vide Ander P.S. Case No. 89 of 2013 on 6th July,
2013 under Section 498A of the Indian Penal Code in which the
father and mother of the petitioner were made named accused.
When they were granted anticipatory bail by the learned Sessions
Judge in the aforesaid police case, the present complaint in
question was filed on 24th September, 2013 in which the
petitioner has also been made one of the accused.

Learned counsel for the complainant has vehemently opposed the prayer of the petitioner. He has submitted that the petitioner has neglected his wife and has solemnized another marriage with one Saira Bano.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of six weeks from today, let the petitioner be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Complaint Case No. 2420 of 2013 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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