

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3652 of 2015

Arising Out of PS.Case No. -587 Year- 2014 Thana -COMPLAINT CASE District- KISANGANJ

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Azad @ Md. Azad Alam Son of Aashique Mohammad Resident of
Khajurbari,P.S-Pothiya,Distt.-Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Nuraj Begum Wife of Md.Azad Alam Resident of Vill-
Khajurbari,P.S-Pothiya,Distt.-Kishanganj.At present residing at
Chichuabari,P.S-Pothia,Distt.-Kishanganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad
For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-01-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. C-587 of 2014 registered under
Sections-498A of the Indian Penal Code and Seciton-4 of Dowry
Prohibition Act.

The petitioner is husband of the complainant and it appears
that prior to filing of the present case, the petitioner had filed
Complaint Case No. 523C of 2012 against the present
complainant and her family members and, furthermore,, the
petitioner has also filed a suit for restitution of conjugal right.

Moreover, from perusal of impugned order dated 20-12-2014, it appears that the learned Additional Sessions Judge, Kishanganj had issued notice to the complainant but in spite of service of notice, she did not appear before the court and, therefore, the aforesaid circumstance goes to show that the complainant does not want to settle the dispute.

Accordingly, this anticipatory bail petition is allowed and it is ordered that in the event of arrest or surrender in the court below within four weeks from today, the petitioner, named-above, shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Complaint Case No. C-587 of 2014 to the satisfaction of Sub Divisional Judicial Magistrate, Kishanganj subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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