

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17871 of 2015

Arising Out of PS.Case No. -3909 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Sameer Hussain @ Sameer Alam, son of Abdul Jalil, Resdient of village-
Lakshmipur, Hasnabad, P.S.- Kodhobari, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rahmatun Nisha, wife of Samer Hussain, Resdient of village- Choucha,
P.S.- Baisi, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Adv
For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 17-08-2015 Heard learned counsel for the parties.

Having regard to the nature of offence punishable under Section-498A of the Indian Penal Code and the fact that the petitioner is the husband, this Court is not inclined to grant anticipatory bail to the petitioner, only because, he claims that on 08.12.2013, i.e. after more than 15 months of the filing of the complaint petition, he has given divorce to the Opposite Party No. 2.

The allegation in the complaint petition being of the period of four and a half years i.e., 08.02.2012, the

story of divorce will in no way water down the allegation against the petitioner and therefore, this Court will not be inclined to grant the privilege of anticipatory bail to the petitioner.

That being so, the prayer for anticipatory bail of the petitioner is hereby rejected.

Nothing said in this order, however, will come in the way of the petitioner in surrendering before the Court below and seeking regular bail.

(Mihir Kumar Jha, J)

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