

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43033 of 2014

Arising Out of PS.Case No. -194 Year- 2014 Thana -WARISNAGAR District- SAMASTIPUR

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1. Md. Hasan Imtiyaz @ Raju, son of Late Navi Hasan
2. Md. Niyaz, son of Late Navi Hasan
R/o- Village- Sukhapur, P.S.- Waris Nagar, Distt- Samastipur.
..... Petitioners

Versus

1. State of Bihar
2. Md. Moin, S/o Md. Taslim, R/o Village- Rahua East, P.S.- Waris Nagar,
Distt. Samastipur
..... Opposite Parties

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Appearance :

For the Petitioners : Mr. Surya Narayan Roy, Adv.

For the Opposite Parties : Mr. Ram Chandra Sahni (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 04-03-2015 This application for anticipatory bail is filed by two petitioners. It is stated that during the pendency of the application, the 1st respondent was arrested. Hence, it has become infructuous, so far as the 1st petitioner is concerned. The allegation in the F.I.R. is that the complainant's daughter was married to the 1st petitioner and though certain items and amount were given at the time of marriage, the 1st petitioner, with the aid of the 2nd petitioner, started harassing the daughter of the complainant. Accordingly, Warisnagar P.S. Case No.194 of 2014 was registered for the offence punishable under Sections- 498A, 323, 420, 384 and 504/34 of I.P.C. The petitioners filed A.B.P. No.3305 of 2014 in the

court of learned Sessions Judge, Samastipur, which was rejected through order dated 15.9.2014. Hence, this application for anticipatory bail under Section-438 of Cr.P.C.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The principal allegation against the petitioner is the one under Section-498A of I.P.C. Even there, he is not the spouse of the concerned woman. This Court is of the view that the petitioner deserves to be granted anticipatory bail.

In the event of arrest, the petitioner (No.2) is directed to be released on bail upon furnishing the bail-bond of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of learned Kumar Rishikesh, Judicial Magistrate 1st Class, Samastipur in connection with Waris Nagar P.S. Case No.194 of 2014, subject to the conditions laid down under Section-438(2) of Cr.P.C.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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