

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38079 of 2014

Arising Out of PS.Case No. -110 Year- 2012 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Md. Sarfaraj Alam, son of Md. Jabbar @ Mallu Mian, resident of village
Panhar P.S. Khudaganj, District Nalanda (Biharsharif).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 14-01-2015

The petitioner is the husband of Noorjahan Khatoon.

She submitted a complaint against the petitioner alleging the acts
of violence referable to Section 498A of the Indian Penal code.
The case was registered.

Apprehending arrest, the petitioner moved an
application for anticipatory bail and he was granted relief.
However, on the complaint submitted by his wife, his bail bond
was cancelled and he was arrested. Thereupon, the petitioner
moved the Court of learned Sessions Judge, Nalanda, Camp
Court, at Hilsa by filing B.P. No.284 of 2014. The learned
Sessions Judge dismissed the application through order dated
08.08.2014. Hence, this application under Section 439 of the
Code of Criminal Procedure.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Except that certain general and vague allegations are made, there is no serious offence attributable to the petitioner. The complainant may have the grievance about the break in the family, but that does not mean that the petitioner must be put behind the bars, indefinitely.

Hence, the application is allowed. The petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C. J. M. Hilsa, Nalanda in connection with Complaint Case No.110C of 2012.

(L. Narasimha Reddy, CJ)

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