

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3497 of 2013

Arising Out of PS.Case No. -83 Year- 2012 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Fazle Ahmad @ Fazzu, son of late Najir Ahmad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

10 02-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 498A, 323, 307, 504 and 506/34 of the Indian Penal Code and ¾ of the Dowry Prohibition Act.

The basic accusation is of torture and assault for non-fulfillment of dowry demand. The injury report does not reflect any external injury to the informant.

Notice was issued to informant on 22.02.2013 and, thereafter, on 09.09.2013 but the office notes dated 02.12.2013 reflects that notice was received by father. Thereafter, on 03.12.2013, fresh notice was issued and again office notes dated 17.02.2014 reflects that the notice was received by father however it was treated to be deemed service but till date none is appearing

on behalf of the informant.

It is submitted by learned counsel for the petitioner that the petitioner also claims to have divorced the informant as per Muslim rituals and for declaration of the same Divorce Case No. 231 of 2012 has also been filed before the learned Principal Judge, Family Court, East Champaran at Motihari.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Mehsi P.S. Case No.83 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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