

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42153 of 2014

Arising Out of PS.Case No. -708 Year- 2013 Thana -COMPLAINT CASE District- KISANGANJ

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Md. Asgar Alam S/o Md. Bahadur Hussain aged 28 years, Resident of
Village- Sukandighi, Police Station- Dighalbank, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabila Khatoon W/o Md. Asgar Alam, Resident of Village- Sukandighi,
Police Station- Dighalbank, District- Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

5 19-08-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

Despite valid service of notice, neither opposite party
no.2 nor her lawyer has chosen to appear when the matter was
taken up.

The present application under section 438 of the
Code of Criminal Procedure has been filed seeking anticipatory
bail in connection with Complaint Case No.C-708 of 2013 in
which cognizance has been taken under sections 323, 504 and
498A of the Indian Penal Code.

It is contended that there is no truth behind the
allegations made in the complaint. The present case has been filed

due to matrimonial discord and incompatibility. The efforts made by the petitioner to amicably settle the dispute have failed and the complainant is bent upon to humiliate and harass the petitioner.

Regard being had to the nature of allegation, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, the above named petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kishanganj in connection with Complaint Case No.C-708 of 2013 subject to the conditions as laid down under section 438(2) Cr.P.C.

(Ashwani Kumar Singh, J)

Md.S./-

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