

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48102 of 2014

Arising Out of PS.Case No. -1618 Year- 2012 Thana -COMPLAINT CASE District- KISHANGANJ

- =====
1. Sanfaraz Alam, Son of Fajilat, aged 32 years.
 2. Fulema @ Fulli, Wife of Sanfaraz Alam, aged 28 years.
- Both residents of Village-Tarabari, P.S.-Garbhandanga, District-Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shamsheri Begum, Wife of Sanfaraz Alam, resident of Village-Tarabari, P.S.-Garbhandanga, District-Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate
For the Opposite Party No. 2 : Mr. Ram Prawesh Kumar, Advocate
For the State : Mr. Pradip Nr. Kumar (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 06-05-2015 Heard learned counsel for the petitioners, learned

counsel for the opposite party no. 2 and learned Additional

Public Prosecutor for the State.

This is an application seeking anticipatory bail in

a case registered for the offence punishable under Section

498A of the Indian Penal Code.

Pursuant to earlier order of this Court dated

23.04.2015, the petitioner no. 1 and opposite party no. 2

are personally present.

The petitioner no. 1 has disputed his marriage with opposite party no. 2 on two grounds. Firstly, that the Nikahnama was got prepared perforce and it has secondly been stated that opposite party no. 2 was pregnant at the time of the said marriage.

In view of the stand which the petitioner no. 1 has taken in present anticipatory bail application, in a case registered under Section 498A of the Indian Penal Code, I am not inclined to grant him the privilege of anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no. 1, abovenamed, is hereby rejected.

The petitioner no. 1 is directed to surrender before the court below within a period of two weeks from today and seek regular bail, if so advised.

So far as petitioner no. 2 is concerned, it is submitted by learned counsel appearing on behalf of the petitioners that she is the first wife of petitioner no. 1.

Under the facts and circumstances of the case, let the petitioner no. 2, abovenamed, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) 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-1618 of 2012**, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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