

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43416 of 2014

Arising Out of PS.Case No. -2408 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Shamsher Ali @ Md. Samser Ali, Son of Late Mahmad Hassan, R/o
Village-Pathra, P.S.-Manjhagarh, District-Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Sunil Kr. Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-03-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is the husband of the complainant and
is apprehending his arrest in connection with Complaint Case
No.2408 of 2013 for allegedly having committed the offences
under Section 498A of the Indian Penal Code.

Learned counsel for the petitioner submits that the
present case has been filed as a consequence of complaint case
filed by the mother of this petitioner alleging that while the
petitioner was away in Arab country to earn his livelihood,
brothers of the complainant came to her residence and had taken
away all valuable articles belonging to the petitioner. In this
connection, the petitioner has brought on record Annexure 2,
which is a complaint case filed by the petitioner, bearing

Complaint Case No.56 of 2013, which is at present pending in the court of Sri R.K. Dwivedi, Judicial Magistrate, Gopalganj. Learned counsel for the petitioner submits that the complainant and her family members had been pressurizing this petitioner to withdraw the aforementioned case filed under Section 379, 498, 406, 420 and 120B of the Indian Penal Code, but when she did not withdraw the same, the complainant has filed the present case under Section 498A of the I.P.C.

Considering the aforementioned submissions and also the fact that there is no specific allegation against him except the vague allegation, let the above named petitioner, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 Sri A.V.D. Dubey, learned Judicial Magistrate, Ist Class, Gopalganj, in connection with C. Case No.2408 of 2013 (Tr. No.3963 of 2014), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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