

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33914 of 2015

Arising Out of PS.Case No. -329 Year- 2013 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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Rashid Eqbal Khan @ Faisal Khan

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Mr. Smt. Anusaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323 and 379 of the Indian Penal Code.

The basic accusation is of torture.

It appears that the petitioner's earlier prayer for anticipatory bail was rejected vide order dated 24.04.2014 passed by a coordinate Bench of this Court (now retired) vide Cr. Misc. No. 7676 of 2014.

It is submitted by learned counsel for the petitioner that the petitioner divorced the complainant as per the Muslim rituals and the complainant has filed Matrimonial Case No. 04 of 2014

for grant of maintenance.

Since earlier anticipatory bail application of the petitioner was rejected by co-ordinate Bench of this Court it is not a case for interference.

Let the learned court below consider the prayer for regular bail of the petitioner without being prejudiced by the order of this Court if he surrenders within a period of six weeks in connection with Complaint Case No. 329 of 2013 pending in the court of learned SDJM, Biraul at Benipur, Darbhanga.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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