

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24546 of 2015

Arising Out of PS.Case No. -563 Year- 2012 Thana -COMPLAINT CASE District- KISANGANJ

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Md. Quaisar @ Md. Quaisar Alam Son of Md. Sabbir resident of Village -
Routa, Police Station - Routa in the district of Purnia.

.... Petitioner

Versus

1. The State of Bihar.
2. Aazra Begum Wife of Md. Nazamuddin resident of Birpur Chowk, Police
Station - Kochadhaman in the district of Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. T.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

7 02-02-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Additional Public Prosecutor,

appearing on behalf of the State.

This application for grant of anticipatory bail arises

out of Complaint Case No. 563/2012, disclosing offences under

Sections 420, 406 of the Indian Penal Code and Section 3/4 of

the Dowry Prohibition Act.

Despite service of notice upon O.P.No.2, she has chosen

not to enter appearance and the petitioner was given interim

protection while issuing notice to O.P.No.2. There is nothing so

that he ever misused the privilege granted to him by way of

interim protection.

Learned counsel for the petitioner submits that the

present case has been instituted mainly because of matrimonial dispute and the prosecution case is exaggerated version of actual dispute between the petitioner and O.P.No.2.

Considering the facts and circumstances, nature of dispute and the fact that O.P.No.2 despite notice has not chosen to oppose the application for anticipatory bail, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Sub-divisional Judicial Magistrate, Kishanganj in connection with Complaint Case No. 563/2012, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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