

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48847 of 2015

Arising Out of PS.Case No. -1308 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- GOPALGANJ

Intazar Mian @ Mohammad Intazar Ali Son of Alamgir Mian @
Mohammad Alamgir Mian, Resident of Bathua Bazar, Fulwariya, District -
Gopalganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Shabina Khatoon, Wife of Intazar Mian @ Mohammad Intazar Ali,
Resident of Bathua Bazar, P.S. - Fulwariya, District - Gopalganj, at
present residing with Israil Mian, Resident of Mohalla - Ratanmala
(Bagaha), P.S. - Bagaha, District - West Champaran (Bettiah).

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Rakesh Kumar Sharma, Advocate.
For the Opposite Party : Smt. Renuka Ratnakar (APP)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 10-02-2016 Heard both sides.

This is repeat application seeking anticipatory bail in
connection with Complaint Case No.1308 of 2013, registered
under Section 498A of the Indian Penal Code.

Earlier the anticipatory bail application filed by the
petitioner was dismissed as withdrawn. Mr. Rakesh Kumar
Sharma has explained the circumstances under which the said
application was withdrawn. It is stated that the petitioner is ready
and willing to live with the Opposite Party No.2 as husband and
wife and provided all safety and security.

The counsel for the O.P. No.2 states that at least on two

occasions such statement was made by the husband, wherefrom he has resiled. In this connection, he has drawn the attention of the Court to the impugned order dated 16.08.2014 passed by learned Sessions Judge, West Champaran at Bettiah in A.B.P. No. 93(C)/2014. I am not persuaded to allow this application. However, it is observed that if the petitioner and his wife (O.P. No.2) resolves the matrimonial discord and reach to an agreement, the same shall be considered by the learned Court below, when the petitioner appears and prays for regular bail.

The application is disposed of.

(Kishore Kumar Mandal, J.)

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