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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41284 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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1. Md. Gulab S/o Late Idrish Kha Resident of village - Dhangama, P.S. Mahelgawn, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Seema W/o Md. Gulab, S/o Late Irshad Kha Resident of village - Dhangama, P.S. Mahelgawn, District - Araria

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kundan Kumar Singh
For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-10-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 323 and 307/34 of the Indian Penal Code.

The prosecution case is of inflicting torture after five years of marriage. The petitioner made attempt to cause injury with 'Dabia' (a sharp cutting weapon) on the neck but the informant received injury on the arm.

It is submitted by the learned counsel for the petitioner that the informant received only superficial swelling injury on the hand. It is further submitted that the issue between the petitioner

and the informant has been resolved and the informant is residing with the petitioner.

Considering the nature of accusation and the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for two months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Araria in connection with Araria (Mahila) P.S. Case No. 52 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on appearance of the informant and filing an affidavit to the effect that issue has been resolved between the parties.

(Dinesh Kumar Singh, J)

Amrendra/-

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