

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58200 of 2015

Arising Out of PS.Case No. -33 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Md. Samsad

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2016

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 Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It appears that the learned Sessions Judge disposed of the anticipatory bail application of the petitioner in view of the ratio laid down in the case of **Salim Ansare @ Md. Salim Ansare and Others Vs. The State of Bihar & Another** reported in **2015 (3) PLJR, 806 (Cr. Misc. No. 51075 of 2014)** since only the summons were issued.

It is submitted by learned counsel for the petitioner that a supplementary affidavit has been filed to the effect that now the

bailable warrant of arrest has been issued.

In the circumstances, let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with C.R. No. 33 of 2014 pending in the court of learned JM, 1st Class, Madhubani.

It is expected from the learned court below to dispose of the regular bail application of the petitioner preferably on the same day.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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