

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22314 of 2016

Arising Out of PS.Case No. -601 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Wasim, Son of Misir Ali, Resident of village – Hal Baida (Chharka Tola), P.S. Amdabad, District – Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rahamtun Nisha, D/o Mohammad Sahadul, Resident of village – Halbaida (Chharka Tola), Police Station – Amdabad, District – Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin

For the Opposite Party/s : Mr. Anil Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 21-07-2016

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the complainant is languishing in custody since 02.03.2016 in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A/34 of the Indian Penal Code and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand.

The petitioner was granted anticipatory bail by this Court on 17.03.2015 vide Cr. Misc. No. 47172 of 2014 on

readiness to make payment of Rs.1500/- per month from April, 2015. The complainant was at liberty to file application for cancellation of bail of the petitioner in case of non-payment of the undertaken amount. It appears that the bail bond of the petitioner was cancelled and subsequently he was taken into custody. Though, the order of cancellation of bail bond is not on the record.

Considering the fact that due to the non-payment of the undertaken amount the petitioner's liberty and privilege of anticipatory bail have been jeopardized and has remained in custody for considerable period, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Katihar in connection with Complaint Case No. 601 of 2013.

(Dinesh Kumar Singh, J)

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