

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51969 of 2016

Arising Out of PS.Case No. -2943 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Sane Elahi Son of Mahmud Alam, Resident of village- Jale, Police Station- Jale, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sahina Khatoon Wife of Sane Elahi, D/o Md. Hadishul resident of Village- Sarfuddinpur P.S. Bochahan, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Bhan Singh
For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner is in custody since 08.09.2016 in connection with Trial No.769 of 2016 arising out of Complaint Case No. 2943 of 2015 registered under Sections 498-A, 307, 120(B) of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. Accusation is of torture for non fulfillment of dowry demand.

4. Learned counsel for the petitioner has submitted that the petitioner admits his marriage with the complainant. The petitioner was granted anticipatory bail by the learned court below vide A.B.P. No. 1401 of 2016 on readiness to keep the complainant as wife with full dignity and honour and with undertaking that he will remain present



before the learned court below with his wife as and when required in the court below. But unfortunately, the bail bond of the petitioner was cancelled by the learned court below on 05.09.2016 for violation of undertaking given in A.B.P. No. 1401 of 2016. Moreover, the petitioner has also filed Matrimonial Suit No. 03 of 2016 with a payer for divorce as the complainant is not ready to resume the conjugal life.

5. Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Cum-Sub Judge-XI, Muzaffarpur in connection with Trial No. 769 of 2016 arising out of Complaint Case No. 2943 of 2015.

(Arvind Srivastava, J)

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