

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34916 of 2016

Arising Out of PS.Case No. -491 Year- 2015 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

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Sabir Ali @ Md. Sabir Ali Son of Md. Quainul

.... Petitioner/s

Versus

1. The State of Bihar
2. Sama Praveen, Wife of Md. Sabir Ali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-08-2016

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 Sections 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It appears that the learned Sessions Judge has disposed of the anticipatory bail application of the petitioner since only the summons were issued.

It is submitted by learned counsel for the petitioner that now bailable warrant has been issued. A statement to that

effect has been made in paragraph no.6 of the petition, which reads as under :-

".... and vide order dated 26.05.2016 bailable warrant has been issued.

Under the circumstances, let the learned Court below consider the prayer for regular bail of the petitioner in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in *PLJR 2015(3) 806* and preferably dispose of on the same day, if the petitioners surrender within a period of six weeks in connection with Complaint Case No.491 C/2015, pending before the learned SDJM, Sheikhpura.

With the above observation, this application is, accordingly, disposed off.

Ashwini/-

(Dinesh Kumar Singh, J)

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