

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25568 of 2016

Arising Out of PS.Case No. -66 Year- 2016 Thana -FORBESGANJ District- ARRARIA

1. Md. Alam @ Alanoor S/o Late Raffi @ Rafiur Rahman Resident of
Village- Madarganj, P.S. Forbesganj (Simraha) District Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-07-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code.

The basis accusation is of torture.

It is submitted by the learned counsel for the petitioner that petitioner disputes his marriage with the informant. The informant is duly wedded wife of Rohit Alam, resident of village- Mahisakol, P.S.-Araria, District- Araria. Statement to that effect has been made in para-10 of the petition. The impugned order suggests that investigation has concluded and Final Form has been submitted under Sections 498A/494 of the Indian Penal Code. There is nothing on record to suggest that the cognizance has been taken under

Section 494 of the Indian Penal Code.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) P.S. Case No. 66 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

learned court below after verifying from the records comes to prima facie conclusion that informant has performed marriage with Rohit Alam then provisional anticipatory bail of petitioner will be confirmed by learned court below, but if learned court below comes to a conclusion that informant has performed marriage with the petitioner then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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