

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49774 of 2015**

Arising Out of PS.Case No. -29 Year- 2015 Thana -PUPRI District- SITAMARHI

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Md. Afjal, Son of Md. Sadre R/o Village Gadha, P.S. Pupari, District  
Sitamarhi

.... .... Petitioner

Versus

1. The State of Bihar  
2. Jeba Praveen Wife of Md. Afjal, D/o Md. Nehal At present Residing at  
Village Padari Bahurath, P.S. Nanpur, District Sitamarhi

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Uday Kumar, Advocate.

For the Opposite Parties : Mr. M. Rab, (App).

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

5      28-04-2016      Heard learned counsel 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 323, 498(A), 380 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

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

The petitioner and the informant are present. Learned counsel for the petitioner submits that the petitioner disputes the factum of marriage. At earlier point of time Complaint Case No. 371 of 2014 was filed with similar accusation wherein the

processes has been directed to be issued after cognizance being taken for the offence punishable under Section 498(A) of the Indian Penal Code in which the petitioner is on bail. Thereafter the present complaint has been filed.

Learned counsel for the informant submits that the informant claims to have married with the petitioner and her belongings kept by the petitioner but has not denied the fact that earlier the petitioner has been granted bail.

Considering the facts aforesaid, let the above named petitioner be released on anticipatory bail 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 the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Pupari P.S. Case No. 29 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J.)**

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