

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17720 of 2017

Arising Out of PS.Case No. -252 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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Md. Jamshed @ Mukhia @ Jamshed, son of Md. Kalim, resident of Village-
Dallu Tola Gadiyare, Forbesganj, Police Station- Forbesganj, District-
Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabana Khatoon, daughter of Md. Mustaque, resident of Village- Dallu
Tola Gadiyare Ward No.19, Forbesganj, Police Station- Forbesganj,
District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. @ S.K.
Mr. Mukesh Kumar Rana, Advocates
For the Opposite Party/s : Mr. Sri Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-04-2017 Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Forbesganj P.S. Case No. 252 of 2016, registered for offences punishable under Sections 498A, 323 and 504/34 of the Indian Penal Code.

The allegation against the petitioner is cruelty and torture to his wife. The case is under Section 498A of the Indian Penal Code. There is specific allegation against the petitioner of assault and trying to set his wife on fire.

It has been submitted on behalf of the petitioner that the allegation is false and concocted. He is still ready to keep her



with all dignity and care.

Heard learned A.P.P. also who opposes the prayer for bail.

Having heard both sides and in view of the allegations, I am not inclined to grant anticipatory bail to the petitioner. Let the petitioner surrender before the learned court below and make prayer for regular bail which will be considered by the learned court below on its own merits without being prejudiced by the order of this Court.

It is made clear that if the opposite Party No. 2 comes and wants to live with the petitioner, it will be open for the court below to pass appropriate order considering the aforesaid aspect.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

S.Pandey/-

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