

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26142 of 2017

Arising Out of PS.Case No. -1025 Year- 2016 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. MD. MAHFOOZ ALAM, Son of Md. Alam, Resident of Village-Morwa Bazar, Police Station-Tajpur, District-Samastipur. Petitioner/s
Versus

1. The State of Bihar
2. Shabnam Praveen, Wife of Md. Mahfooz Alam Resident of Village-Morwa Bazar, Police Station-Tajpur, District-Samastipur.
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 14-07-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Complaint Case No. 1025 of 2016, disclosing offences under Section 498A/406 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of the Opposite Party No. 2. The matrimonial discord appears to be the root cause of lodging of the First Information Report.

Learned Counsel for the petitioner submits that he is ready to keep the Opposite Party No. 2 with full love and dignity.

There is no reason for this Court to feel that if granted anticipatory bail, the petitioner shall flee from the course of trial.



It is submitted that the petitioner shall present himself before the Court as and when required and there is no chance that he will tamper with the evidence or influence the witnesses.

Considering the nature of accusation and submission advanced on behalf of the petitioner, this application is allowed.

Let the petitioner, Md. Mahfooz Alam, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate I, Samastipur, in connection with Complaint Case No. 1025 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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