

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39815 of 2017

Arising Out of PS.Case No. -556 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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1. Md. Jamsed Son of Md. Kaium Miya Resident of Village- Chakdaha,
Police Station- Triveniganj, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kulsum Khatoon Wife of Md. Jamsed & daughter of Md Vakil
Resident of Village- Chakdaha, Police Station- Triveniganj, District-
Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 16-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case No. 556
C of 2015 instituted for the offence under Sections-120B, 498A, 341,
342, 323, 504 & 379 of the Indian Penal Code and $\frac{3}{4}$ of Dowry
Prohibition Act.

It has been submitted that the complainant is a lady of cruel
nature. She had love affair with Md. Nadim. She became pregnant from
Md. Nadim and later on, he denied marrying with her. Thereafter, she
has filed Complaint Case No. 402 C of 2013 against Md. Nadim. She
has filed instant case against this petitioner in 2015 claiming her to be
wife of the petitioner. It is nowhere mentioned the date or year when
she got married with the petitioner.

Notice was issued to opposite party No. 2 but in spite of



valid service of notice, she did not appear.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Complaint Case No. 556 C of 2015 to the satisfaction of learned Chief Judicial Magistrate, Supaul subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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