

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11714 of 2017

Arising Out of PS.Case No. -271 Year- 2016 Thana -NANHPUR District- SITAMARHI

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Sarfaraj Alam @ Sarfaraz, Son of Zafar Waheed, Resident of Village-
Gorhaul Sharif, P.S.- Nanpur, District- Sitamarhi, Presently Residing at
Mohalla - Imambari, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-03-2017

This is an application for grant of anticipatory bail
for offences punishable under Sections 498A/34 of the Indian
Penal Code and Section 3 / 4 of the Dowry Prohibition Act.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that
though there is allegation of snatching of jewellerys and money
from the informant by the petitioner and also tried to set her on
fire but in the F.I.R. no such allegation is there. Further it has
been submitted that as a matter of fact the husband of the victim
lady had died and she was living in the house of the petitioner for
the last eight years and she has not married to the petitioner which
appears from the Nikhanama certificate produced by the petitioner
as no Nikhanama was performed on that date. Further the
informant has also filed two cases against other persons, which are



Annexures-2 and 3 to the petition and go to show that she is claiming wife of her late husband and has nowhere stated that she has married to the petitioner though in the F.I.R. she has stated that she has married to the petitioner.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances of the case, let above named petitioner, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi, in connection with Nanpur P.S. Case no. 271 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and also subject to the conditions that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the investigation and make himself available before the police as and when required.

(Vinod Kumar Sinha, J)

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