

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17721 of 2013

Arising Out of PS.Case No. -878 Year- 2010 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Md. Iftekhar Ahmad @ Hafiz Iftekhar Ahmad Ahsarfi S/O Md. Fazlu
Rehman R/O Mukta Pd. Nagar, Sector-2, Bikaner, P.S.- Bikaner, District-
Bikaner

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sama Parveen

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kejriwal, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

13/ 18-01-2017

Heard learned counsels for the petitioner,

State and the complainant-opposite party no. 2.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case is that the complainant got married with the petitioner on 22.05.2005 when



out the wedlock a baby boy was born on 26.05.2006. There was demand of dowry prior to the marriage and after the marriage also. The complainant gave to twin female child on 05.03.2009. On 15.07.2009 she was duped to sign on the stamp paper on the assurance of providing employment but subsequently she found that it was converted into a Talaknama.

It is submitted by learned counsel for the petitioner that the petitioner after talak has performed second marriage and so is the complainant. Though, the anticipatory bail application was filed in 2013 itself but since it was dismissed for default, hence, it could not be disposed of.

Mrs. Anita Kumari Singh, learned counsel appearing for the complainant submits that, at present, she has no instruction.

Considering the nature of accusation and the factum of talak, though, under certain misconception has been admitted by the complainant in the complaint petition, let the above named petitioner be released on anticipatory bail, in the event of 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 learned Chief Judicial



Magistrate, Munger in connection with Complaint Case No.
878(C) of 2010, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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