

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16132 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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1. Md. Bablu, S/o Md. Fusan, resident of village - Jogbani, P.S.-
Gamharia, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nazima Khatoon, W/o Md. Bablu, D/o - Md. Ainul, resident of village -
Orahi, Ekparaha, P.S. Gamharia, District - Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, APP

Mr. Raja Surendra Mohan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 30-06-2017

Heard learned counsel for the Petitioner and the

State as well as counsel for the Opposite Party No.2.

The Petitioner apprehends his arrest in Gamharia
P.S. Case No.14 of 2016 instituted for the offence under
Section(s) 341, 323, 498-A, 494/34 Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

Petitioner is husband of the informant.

It has been submitted on behalf of the petitioner that
marriage was performed in the year 1995 and out of the wedlock
one daughter, Hina, and one son, Md. Siddique, were born who
are presently aged about 19 years 13 years respectively.

Learned counsel for the Petitioner submitted that the
informant has filed series of cases against him vide Complaint



Case No.1130 of 2007 under Section 498-A Indian Penal Code along with other allied Sections, Complaint Case No.1236 of 2010 under Section 498-A Indian Penal Code along with allied Sections, and Gamharia P.S. Case No.177 of 2014.

Learned counsel for the petitioner has further submitted that the Opposite Party No.2 is living with one Md. Nizam and at instigation of Md. Nizam, she is filing the cases against the petitioner to harass him. Son and daughter are with the petitioner and the complainant is not taking care of them.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Gamharia P.S. Case No.14 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st class, Madhepura, subject to the conditions as laid down under Section 438(2) 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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