

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36483 of 2018

Arising Out of PS.Case No. -1393 Year- 2017 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Haji Anwar Ali, son of late Asgar Ali, R/o Village- Bhapura via-
Bharwara, Panchayat- Bhawanipur, P.S.- Singwara, District-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajiya Khatoon, wife of Irfanul Haque, D/o Late Rafi Ahmad, R/o
Mohalla- Nabab Road, Chandwara, P.S.- Nagar, District- Muzaffarpur.
At present Mohalla- Magardahighat, Ward No. 18, P.S.- Nagar, District-
Samastipur.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 04-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Samastipur**
District Complaint Case No.1393 of 2017 instituted for the
offence under Section(s) 406/34 Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

Counsel for the petitioner submits that petitioner is
uncle of the boy, namely, Meraj Ali, with whom the Complainant
alleges that talk of marriage of her sister was finalized. The
Complainant has alleged that marriage of Complainant's sister
was finalized by the mother of Meraj Ali in presence of guardian
of the girl namely, Irfanul Haque, and Haji Anwar Ali, who is
uncle of the boy (Meraj Ali).



In this manner, mere general and omnibus allegation has been levelled against the petitioner.

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 **Samastipur District Complaint Case No.1393 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Samastipur**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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