

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1729 of 2018

Arising Out of PS.Case No. -1096 Year- 2017 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Osi Akhatar @ Bablu S/o Md. Mustaquim , R/o Village- Musehari , P.S.-
Barharia, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. Sagufta Praveen W/o Osi Akhatar @ Bablu D/o Moammad , R/o
Village- Gpplamath , P.S.- Thawe, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate.
For the State : Mr. Arun Kumar Singh -5, A.P.P.
For the O.P. No. 2 : Mr. Thakur Brajesh Singh and Mr. Md. Sufiyan,
Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-01-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 406/34 of the IPC
and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

The petitioner was granted provisional bail by the
learned court below itself for the purpose of reconciliation



between the parties. In pursuance to the said order, the petitioner surrendered in the court below and has furnished his bail bond which was accepted by the learned court below. Subsequently, the matter could not be settled between the parties and anticipatory bail of the petitioner was rejected by the Court of Sessions.

In the aforesaid given facts, learned counsel for the petitioner seeks permission to withdraw the present anticipatory bail application in connection with Complaint Case No. 1096 of 2017, Trial No. 3518 of 2017, pending in the court of learned S.D.J.M., Gopalganj, in light of the judgment rendered in the case of (Bishundeo Sahu & Ors. Vs. The State of Bihar & Ors.,) reported in 2011(1) PLJR 731.

Permission is accorded.

If the petitioner surrenders in the court below and prays for regular bail, the same shall be considered by the learned court below on its own merit without being prejudiced by this order of the Court and taking into account the order passed by the Division Bench in the aforesaid rendered judgment.

The present application stands disposed of.

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(Sudhir Singh, J)

