

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47054 of 2018

Arising Out of PS. Case No.-803 Year-2017 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Md. Noor Hasan S/o Md. Saddik , R/o Vill.- Khra, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mafida Khatoon W/o Md. Noor Hasan, D/oMd. Muslim , R/o Kahra P.S. and Distt.- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection
with Complaint Case No. 803C of 2017 registered under
Sections 498A and 406 of the Indian Penal Code.

Informant who lodged a complaint petition before
the Chief Judicial Magistrate, in which it has been alleged that
the marriage of informant was solemnized with petitioner in
January 2008 as per Muslim customs and rites in which her
parents had provided some gifts as per their capacity. Thereafter
two children were born from the said wedlock, Thereafter she
was being tortured for demand of cash amount of Rs. 10,000/-
and a buffalo. Thereafter she alongwith her children have been



ousted from her matrimonial house.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that there is no specific allegation against the petitioner. Petitioner has never committed cruelty or torture on the complainant and he is ready to keep his wife with full honour and dignity. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Saharsa, in connection with Complaint Case No. 803C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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