

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2457 of 2019

Arising Out of PS. Case No.-2374 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Md. Aslam, Son of Md. Taslim, resident of Lahladpur, P.S. Patepur, Distt.-
Vaishali.

... .. Petitioner

Versus

1. The State of Bihar.
2. Nikhat Parween, Wife of Md. Aslam, Daughter of Late Md. Afjal, resident of Lahladpur, P.S. Patepur, Distt.- Vaishali, At present resident of Village- Moudahidih, P.S. - Patepur, Distt.- Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Bipin Kumar Sinha, Advocate.
For the State : Mr. Prem Kumar Jha (App 43)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-01-2019 Learned counsel for the petitioner is permitted to

make necessary correction in paragraph no. 1 of the bail

petition, in course of the day.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner is apprehending his arrest in a case

for the offence registered under Sections 323 and 498(A)/34 of

the IPC and 4 of the D. P. Act.

The prosecution story, in brief, is that on 28.11.2015,

the marriage of the complainant was solemnized with the

petitioner and due to non-fulfilment of the *Freeze, T.V.* and



Washing Machine, the petitioner alongwith other in-laws ousted the complainant from her *Sasural* after snatching all her belongings and since then she is living in her *Maike*.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is husband of the victim. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, in connection with Complaint Case No.



2374 of 2017, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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