

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15490 of 2019

Arising Out of PS. Case No.-33 Year-2018 Thana- MAHILA P.S. District- Saran

MD. JAVED KHAN @ JAVED KHAN Son of Md.Shahabbudin Khan
Resident of Village - Chhota Telpa Takiya, P.S.- Chapra Town, District - Saran
at Chapra.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kaishar Jahan Wife of Md. Javed Khan @ Javed Khan Resident of Village - Chhota Telpa Takiya ,P.S. Chapra Town, District - Saran at Chapra and Daughter of Amiruddin Khan, at present resident of Village - Gundi, P.S.- Krishnagadh, District - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-06-2019 This application, for grant of anticipatory bail, arises out of Mahila P.S. Case No. 33/18, disclosing offences under Sections 341, 323, 498A, 506, 379/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the informant and allegation against him is of assault and torture to the informant for demand of Rs. Three Lakhs. It is also alleged that the cause of occurrence is that father in law of the petitioner that father in law of the informant to make physical relationship with her.

Submission of learned counsel for the petitioner is that the F.I.R. itself shows that the main reason behind the



occurrence is of advancement made by father in law of the informant for illicit relationship with the informant and allegation of demand and torture is false and concocted and she is in habit of lodging false cases, as earlier also, has lodged a case under Section 498A of the Indian Penal Code.

Heard learned A.P.P. as well as learned counsel for the informant.

Having heard both sides, considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran at Chapra in connection with Mahila P.S. Case No. 33/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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