

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21439 of 2019

Arising Out of PS. Case No.-756 Year-2017 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Md. Munna, Son of Md. Noor Hassan, Resident of Village - Mahua Tola, P.O. and P.S.- Sohsarai, District - Nalanda, at Present resident of Mohalla- 10/2 Wardganj, P.S.- Wardganj, Kolkata- 700023 (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rahat Parween, Wife of Md. Munna, Daughter of Jeyauddin Ansari, Resident of Village - Abdulpur, P.O. and P.S.- Rafiganj, District - Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 15-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No.756 of 2017, disclosing offences under Sections 323 and 498A of IPC.

Allegation as per complaint petition filed by the complainant, who is wife of the petitioner is that petitioner has demanded Rs.2,00,000/- from the complainant and after the birth of a daughter, he started torturing her with physically and mentally, as they were expecting a boy and as such to save her life, she returned to her Maika.

Submission of the learned counsel for the petitioner is that the whole allegations are false and concocted and petitioner is still ready to keep her with dignity and care and also file a



matrimonial case before the learned Family Court for that purpose, in which the opposite party no.2 has already appeared and in this case also a notice was issued to her.

Heard learned A.P.P. also.

From the perusal of the record, it appears that earlier notice was issued to the opposite party no.2, which was received by her personally, but she has not appeared and as such, case was posted for today on 28.06.2019. Today also nobody appears on behalf of opposite party no.2 in the Court nor any Vakalatnama has been filed on her behalf.

Having heard both sides, considering the above submissions, the provisional bail granted to the petitioner, vide order dated 05.04.2019 is confirmed.

Accordingly, this application is allowed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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