

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32901 of 2019

Arising Out of PS. Case No.-193 Year-2017 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Firoj Alam, Son of Samiulah Ansari, Resident of Chotka Teghra, P.S.-
Maharajganj, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Roshnaz Khatoon, Daughter of Mahfuz Alam, Resident of Chakmahmuda,
P.S.- Maharajganj, District - Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Harsh Anuj, Advocate
		Mr. Umesh Kumar Mishra, Advocate
For the Opposite Party/s :		Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 27-09-2019 This is an application for grant of anticipatory bail in connection with Trial No. 3158 of 2019, arising out of Complaint Case No. 193 of 2017, disclosing offences under Sections 498A, 406, 323, 504, 34 of IPC and Section 3/4 of Dowry Prohibition Act.

As per complaint petition, complainant was married with the elder brother of the petitioner, but after his death, it is said that he remarried with the complainant and starting conjugal rights and she became pregnant, but she got her pregnancy aborted as he is not ready to keep her.

Submission of the learned counsel for the petitioner is that the Nikah Nama is forged document and he has already filed a complaint and at that time, it is alleged that marriage was



solemnized, he was minor and there are no other documents also showing that marriage was never solemnized.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who has submitted that Nikah Nama showing the marriage between the parties.

Having heard both sides, as marriage is itself in dispute, this Court without giving any comment on the marriage of the petitioner, whether it is valid or invalid, allowed the application with direction to the court below that in the event of his arrest or surrender of the petitioner, before the court below within six weeks, he be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M. Siwan, in connection with Trial No. 3158 of 2019, arising out of Complaint Case No. 193 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he will co-operate in the disposal of complaint case and appear before the court as and when required.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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