

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44236 of 2019

Arising Out of PS. Case No.-286 Year-2018 Thana- UCHKAGAON District- Gopalganj

Mohammad Julfekar @ Zulfekar Ali Son of Osiyar Ali Resident of Village-
Ujra Narainpur, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-09-2019 This application, for grant of anticipatory bail, arises out of Uchkagaon P.S. Case No. 286 of 2018, disclosing offences under Sections 498A, 406 and 120B of the Indian Penal Code.

Petitioner happens to be husband of the informant and allegation against him is that while, he was going to Arab Country, he ousted the informant from the house and when the petitioner returned from the Arab country, informant went to her matrimonial house, but the accused persons refused to keep her and disclosed about second marriage of the petitioner.

Submission of learned counsel for the petitioner is that entire allegation is false and concocted and he is still ready to keep her with full honour and dignity. Moreover, no specific allegation has been attributed to him.

Heard learned A.P.P. as well as learned counsel for the informant. Learned counsel for the informant has submitted that



since the petitioner has solemnized second marriage, it is not possible for the informant to live with the petitioner and further the petitioner is also not paying any expenses to the informant.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his 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 Additional Chief Judicial Magistrate -IX, Gopalganj, in connection with Uchkagaon P.S. Case No. 286 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure. It is further subject to the condition that if any maintenance case is being filed by the informant, the petitioner will appear on notice and cooperate in disposal of the same and abide by any order either interim or final passed in the maintenance case until the same is set aside or modified by any higher court.

(Vinod Kumar Sinha, J)

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