

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45199 of 2019**

Arising Out of PS. Case No.-483 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Rashid, Son of Nasiruddin, Resident of Village- Kalya Nagar Guwal Toli,
P.S.- Barsoi and District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Masuda Khatoon, wife of Md. Rashid, D/o Samijuddin, Resident of Village- Bhityar, P.S.- Raiganj, District- Uttar Dinajpur, (W.B.), At Present resident of Village- kalya Nagar Guwal Toli, P.S.- Barsoi, District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Sharda Kumari

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 23-07-2019 This is an application for grant of anticipatory bail in connection with C.A. Case No. 483 of 2017, disclosing offences under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is that the complainant was married with the petitioner 14 years ago as per Muslim Rites and after marriage, she started living together, but the accused persons including the petitioner started torturing her mentally and physically and she was also assaulted. There is also allegation of demand of Rs.2,00,000/- for treatment of her daughter and lastly the have ousted her from the house.

Submission of the learned counsel for the petitioner is that whole allegation is false and concocted and drawing my attention towards Annexure 2 Panchnama prepared by the Panches with the



signatures of opposite party no.2 that they have ready to live separately and paid Rs.70,500/- to her.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, they have opposed the prayer for anticipatory bail on the ground that the said Panchnama as Annexure 2 is forged document and the signatures of opposite party no.2 is forged on the same.

Having heard both sides, considering the above submission, 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) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Katihar, in connection with C.A. Case No. 483 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he is to co-operate in disposal of the case and appear before the court below as and when required. At the same time, the learned court below is directed to expedite the trial of the case.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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