

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46249 of 2019

Arising Out of PS. Case No.-2559 Year-2017 Thana- COMPLAINT CASE District- Araria

Md. Sadaqat @ Sadaqat, Son of Late Md. Sajjad, Resident of Village -
Bhansiya, P.S.- Mahalgaon (Jokihat), District- Araria

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Njiya Pravin, D/O- Jawadul, W/O- Md. Sadaquat, Resident of Village -
Saran, P.S.- Jokihat, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.

For the Opposite Party no.1: Mr.A. Dayal, APP

For the Opposite Party no.2: Mr. Md. Naushaduzzoha, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 3 26-09-2019 Heard learned counsel for the petitioner and learned
APP for State as well as learned counsel representing the
complainant-opposite party no.2.

The petitioner in this case is seeking anticipatory bail
in connection with Complaint Case No.2559 of 2017 registered
for the offences punishable under Sections 323, 324, 504, 379
and 498(A) of the Indian Penal Code and Section 3/4 of the D.P.
Act.

Learned counsel for the petitioner submits that the
allegations against the petitioner are not true and correct,
however, on the opposition being made by learned counsel for
the complainant-opposite party no.2 saying that the petitioner



has solemnized a second marriage and is not possible to live with him, learned counsel for the petitioner does not dispute that position.

Considering the gravity of the allegations and the fact that a prima-facie case has been found against the petitioner and he has been called upon to appear in the court below, this Court is not willing to exercise its discretion in favour of the petitioner. The prayer for anticipatory bail is, thus, refused.

In case the petitioner surrenders in the court below within a period of four weeks from today and prays for regular bail, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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