

**49671IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49671 of 2019**

Arising Out of PS. Case No.-674 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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MD. MOHIUDDIN QURAISHI @ MOHIUDDIN QURAISHI Son of Md.
Mudi Quaraishi Resident of Village- Ahmadpur, P.S.- Rafiganj, District-
Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Hussain Son of Late Satar Quraishi Resident of Village- Rasulganj,
P.S.- Kasma, District- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 08-08-2019 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail
in connection with Complaint Case No. 674 of 2018, disclosing
offences under Sections 323 and 406 of the Indian Penal Code,
including Section 3 of the Dowry Prohibition Act.

It is alleged in the complaint petition that the
complainant gave certain amount to the petitioner and another
co-accused for getting her daughter's marriage settled. On
persuasion of the petitioner, the marriage was finalized with the
co-accused Raiyaz Quairaishi. The marriage has, however, not
taken place and allegedly the persons named in the complaint



petition have fraudulently retained the money given by the complainant, as consideration for marriage.

Considering the nature of allegation, in my view, a case for grant of anticipatory bail is made out.

This application is accordingly allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 674 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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