

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55269 of 2019

Arising Out of PS. Case No.-317 Year-1999 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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MD. WAISH @ AWAISH Son of Pachkauri Resident of Village - Chanpura,
P.S.- Benipatti, District - Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nageena Khatoon Wife of Md. Waish @ Awaish Resident of Village -
Chanpura, P.S.- Benipatti, District - Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 317 of 1999, disclosing the offence under Sections 147, 323, 380, 494, 498-A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

It appears from the application that the order taking cognizance, passed by the learned Magistrate, was interfered with by the learned Sessions Judge, Madhubani by an order dated 07.09.1999. The said order dated 07.09.1999 was subsequently set aside by this Court by an order dated 02.08.2010, passed in Cr. Misc. No. 29925 of 1999.

Learned counsel for the petitioner has submitted that



the petitioner has approached this Court for grant of anticipatory bail since warrant of arrest has been issued recently in the complaint case. He submits that there is no chance of the petitioner fleeing from the course of enquiry or trial before the court below.

Considering the above, this application is 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 learned Munsif cum J.M.-Ist, Benipatti, Madhubani in Complaint Case No. 317 of 1999, 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)

Rajesh/-

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