

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78391 of 2018

Arising Out of PS. Case No.-217 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Mohammad Nizamuddin son of Md. Nehaluddin, Village- Chainpur Bangra,
P.S. Manhari, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nazara Khatoon wife of Nizamuddin, resident of Village- Bangra Bzaid, P.O. Chainpur, P.S. Manihari, District Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate
Mr. Nitesh Kumar, Advocate
Babita Kumari, Advocate

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-01-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Complaint Case No. 217 of 2018 arising out of T.R. No. 314O/2018, registered for offences punishable under Sections 323/34, 498A/34 and 504/34 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is of assaulting and torturing the complainant due to non fulfillment of demand of dowry and the petitioner along with other accused persons ousted her from the matrimonial house after keeping her all belongings alongwith her children.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case. The marriage



was solemnized in the year 2000 and they have four children out of their wedlock and the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub- Divisional Judicial Magistrate, Samastipur in connection with Complaint Case No. 217 of 2018 arising out of T.R. No.3140 of 2018, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure with conditions that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

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(Vinod Kumar Sinha, J)

