

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69216 of 2019

Arising Out of PS. Case No.-106 Year-2014 Thana- BARURAJ District- Muzaffarpur

Md. Sarfaraz Alam @ Md. Sarfaraz Alam (MAULANA), Son of Md. Tabarak Hussain Resident of Village-Mehdi Nagar Bankat, Police Station-Baruraj, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afsana Khatoon, Wife of Md. Nayeem, Resident of Village - Badkagaon Tole-Bhar Ra, Police Station-Karja, District-Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shamimul Hoda, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-11-2019 This is an application for grant of anticipatory bail in connection with Baruraj P.S. Case No. 106 of 2014, disclosing offences under Sections 498(A), 323, 313 and 504/34 of IPC.

As per F.I.R. petitioner happens to be the husband of the informant. There is allegation of demand of Rs. 50,000/- and for that, assaulting her.

Submission of the learned counsel for the petitioner is that the marriage was solemnized in the year 2002 and she was not ready to reside with the petitioner and as such, he has filed a petition for restitution of conjugal rights. Thereafter, the present case has been lodged. It has further been submitted that Annexure-3 disclosed that she has married with another person,



as per the certified issued by the Gran Panchayat, Badgaon,
South, District Muzaffarpur.

Heard learned A.P.P. also, who has opposed the prayer
for anticipatory bail.

Having heard both sides, in view of the facts, as stated
above and as the case is of the year 2014 , let the petitioner,
above named, surrender and pray for regular bail before the
learned court below, the same shall be considered on the basis of
the materials as stated above as well as the materials available in
the case diary and if, possible to be disposed of on the same day.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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