

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.175 of 2020

Arising Out of PS. Case No.-321 Year-2019 Thana- PATAHI District- East Champaran

MD. NOOR ALAM S/o Yasin R/o village- Bokane, P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Samim S/o Md. Rabi alam R/o village- Naya Gaon, P.S.- Shayampur Batha, District- Shivhar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-01-2020 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Patahi P.S.Case No.321 of 2019 registered for offences punishable under Sections 341, 323, 328, 307, 498(A) and 34 of the Indian Penal Code and Section 3 & 4 of the Muslim Women (Protection on Rights of Marriage) Act, 2019.

Petitioner happens to be husband of the informant. There is allegation against the petitioner and other accused persons that they have tried to kill the sister of the informant, for which she was treated at Manas Hospital and kept there for several days.

Submission of the learned counsel for the petitioner is



that the allegation is false and he is still ready to keep her with dignity and care. It is also submitted that the report of the I.O. does not support the prosecution case rather shows that there history of taking poison by her and further submitted that the occurrence took place on 11.10.2019, injury report is of 17.10.2019 whereas it is mentioned that she was admitted on 16.10.2019 as such all these facts clearly shows that allegation is false.

Heard learned A.P.P. , who has opposed the prayer for bail drawing my attention towards the impugned order and submitted that she was treated at Manas Hospital and the injury also discloses that she was administered poison.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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