

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4895 of 2020

Arising Out of PS. Case No.-36 Year-2019 Thana- MAHILA PS District- Jamui

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Istiyaque Khan @ Md. Isteyak Son of Islam Khan Resident of Village -
Banpur Dhuniya Muhalla, P.S.- Khaira, District - Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Amar Prakash

For the Opposite Party/s : Mr.Ram Sumiran Rai

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 29-02-2020 Counter affidavit is filed on behalf of the informant.

Let it be kept on record.

Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Jamui Mahila P.S. Case No. 36 of 2019 registered for the
offences punishable under Sections 498-A, 494, 506, 379/34 of
the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Admittedly, petitioner is husband of the informant and
the marriage of petitioner was solemnized with informant ten
years ago. Furthermore, it is an admitted position that out of the
aforesaid wedlock one son was born who is presently aged



about six to seven years. Although, there are several allegations of torture as well as illegal demand against the petitioner but the written report of the informant reflects that due to second marriage of petitioner, the informant lodged the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall 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 Sub-divisional Judicial Magistrate, Jamui in Jamui Mahila P.S. Case No. 36 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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