

Arising Out of PS. Case No.-302 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

Petitioner/s

1. THE STATE OF BIHAR Bihar
2. Farida Khanam Wife of Irfan Jama Khan @ Irfan Zaman Khan, D/o Irshad Ahmed Khan Resident of Village - Ansarganj, P.S.- Sasaram, Dist.- Rohtas, M- 9431043642

... .. Opposite Party/s

For the Petitioner/s : Mr.Rudal Singh
For the Opposite Party/s : Mr.Umanath Mishra

ORAL ORDER

This application for anticipatory bail arises out of Complaint Case No.302 of 2018, disclosing offences under Sections 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The petitioner is the husband of the complainant.

It appears from the order-sheet that while granting the petitioner provisional bail by an order



dated 17.07.2019, the matter was referred to Patna High Court Mediation Centre for amicable settlement of dispute between the petitioner and the complainant. The mediation proceeding appears to have failed as is evident from the report of the learned mediator at Flag-B.

Learned counsel for the petitioner has submitted that matrimonial dispute has been given the colour of the criminal case.

Learned counsel for the complainant has vehemently opposed the prayer for anticipatory bail.

Be that as it may, considering the nature of accusation, 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 the learned Chief Judicial Magistrate, Rohtas at Sasaram in Complaint Case No. 302 of 2018, subject to the conditions 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)

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