

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57258 of 2019

Arising Out of PS. Case No.-1218 Year-2017 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Md. Tinku, Son of Mohiuddin, Village-Andwas, P.S.-Chhabilapur (Rajgir),
District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tarannum Khatoon, W/o Md. Tinku, D/o Late Hano Kuraisi, Resident of
Village-Andwas, P.S.-Chhabilapur, District-Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

8 24-02-2020 Heard learned counsel for the petitioner and learned APP

for the State. No one appears on behalf of the opposite party no.

2.

The petitioner has filed the instant application for grant of
anticipatory bail apprehending his arrest in a case registered for
the offence(s) under sections 498A, 323, 342, 379 and 406 of
the Indian Penal Code and sections 3 and 4 of the Dowry
Prohibition Act.

As per allegation in the complaint, the petitioner was
married to the complainant about 10 years back. It is stated that
the accused persons being greedy in nature started to torture the



complainant for Rs. 50,000/-. They used to threaten her with divorce.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the complaint are false and concocted. It is for this reason that in spite of categorical statement of the petitioner in paragraph no. 11 of the application that he is ready to keep his wife with full dignity and honour and service of notice on opposite party no. 2, she has still chosen not to appear.

The application for bail has been opposed by learned A.P.P. for the State who submits that in course of her solemn affirmation, the complainant had shown the mark of assault with knife.

In response, it is submitted by learned counsel for the petitioner that no injury report has been brought on record to substantiate the allegation.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection



with Complaint Case No. 1218C of 2017 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Nalanda, Bihar Sharif, subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

(Partha Sarthy, J)

Ankit/-

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