

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62884 of 2019

Arising Out of PS. Case No.-113 Year-2018 Thana- MAHILA P.S. District- Araria

ABDUS SAMAD Son of Md. Nayeem Resident of Village - Swaldah,
Majhuwa, Ward No.14, P.S.- Narpatganj, Distt.- Araria. Petitioner/s
Versus

1. The State of Bihar
2. Nusrat Perween W/o Abdus Samad, D/o Md. Saijul Haque, Resident of
Village - Dhibha, Ward No.2, P.S.- Forbesganj, Distt.- Araria.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State as well as the

informant.

Petitioner is husband is apprehending arrest in
connection with Araria Mahila P.S. Case No. 113 of 2018 for
the offence under section 498A, 494, 34 of the Indian Penal
Code and Section 3/4 of the D.P. Act.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent.

Learned counsel for the informant would submit that
petitioner has joined four wedlock and he tortured the
informant.

Learned counsel for the petitioner submits that
Personal Law permits four marriages and there is no bar if the
petitioner has kept four wives.

Learned counsel with reference to Annexure-14



submits that petitioner is ready to keep his wife with full honour and respect.

Counsel for the informant submits that the informant -wife is ready to stay with the petitioner.

Considering the aforesaid, the Court is inclined to grant anticipatory bail to the petitioner, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria, in connection with Araria P.S. Case No. 113 of 2018 subject to the condition as laid down under section 438(2) of the Cr.P.C.

In the event, the petitioner neglects, misbehaves or torture the informant-wife, the Court below shall be at liberty to cancel the bail bonds of the petitioner.

(Anil Kumar Upadhyay, J)

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