

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69705 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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TARIQUE ANWAR S/o Harun R/o village- Janerwa, P.S.- Banjaria, District-
East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rukhsana Perween W/o Tarique Anwar, D/o Sagir Alam R/o village-
Janerwa, P.S.- Banjaria, District- East Champaran. At present Village-
Bishunpurwa, P.O.- Imilwa, P.S.- Adapur, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shakil Ahmad Khan, Adv.
For the Opposite Party/s	:	Mr.Abhay Kumar Roy, APP
For O.P. No. 2	:	Mr. Vijay Shankar Srivastava, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-01-2020 This application, for grant of anticipatory bail, arises

out of Complaint Case No. C-66/2019, disclosing offences

under Sections 498(A)/504/34 of the Indian Penal Code.

Petitioner happens to be husband of the complainant

and allegation against him is of subjecting the complainant to

cruelty in connection with demand of dowry and it is also

alleged that petitioner performed marriage with another lady.

Submission of learned counsel for the petitioner is

that all the allegations are false and concocted and complainant

herself does not want to live with the petitioner and further the

petitioner has earlier filed a case for restitution of conjugal



rights but when she did not turn up, the petitioner filed a divorce petition in the Family Court, Motihar, East Champaran, in which also she did not appear and later the case was dropped. Thereafter, the complainant came out with this false case.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has opposed the prayer for anticipatory bail on the ground that petitioner has performed the second marriage with another lady and it is not possible for the complainant to live with the petitioner.

Having heard both sides, considering the submission, as above, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Motihari, East Champaran, in connection with Complaint Case No. C-66/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further subject to the condition that if any maintenance case is filed by the complainant, on personal notice, petitioner has to appear in the



said maintenance case and he will abide by any order either interim or final passed by learned Family Court.

(Vinod Kumar Sinha, J)

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