

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80395 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- BHAWANIPUR District- Purnia

Panka @ Shamshad Son of Md. Karu Moulvi @ Kalim, Resident of Village -
Shaheedganj, P.S.- Bhawanipur, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Ehteshamuddin

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 10-12-2020 Heard Mr. Syed Ehteshamuddin, learned counsel for
the petitioner and Mr. Anand Kishore Choudhary, learned
counsel for the State through video conferencing.

In the present case, the petitioner is seeking
anticipatory bail in connection with Bhawanipur P.S. Case
No.68 of 2019 registered for offence under sections 328 and
302/34 of the Indian Penal Code.

Allegation has been made in the FIR that in the year
2010, the victim fled away from her house and married with the
present petitioner, who was already married person having
children from the first wife.

Allegation has been made that from the day the
victim came in the house of the petitioner, she was tortured and
in the FIR, the name of the petitioner and three others have been



mentioned.

Learned counsel for the petitioner submits that three persons, namely, Jarina @ Maryam, Noor Jahan and Bechni @ Bibi Tunai Khatoon have moved before this Court in Cr. Misc. No. 48552 of 2019 and they have been granted anticipatory bail in that case. He further submits that the petitioner should be granted the same relief.

After some argument, learned counsel for the petitioner wants to withdraw this application with liberty to approach the Court in regular bail. If the petitioner approaches for grant of regular bail, the court below would examine/take into consideration the order passed in connection with aforesaid three persons and decide the case on the basis of materials available on record.

With the above observation and direction, this bail application is dismissed as withdrawn.

(Shivaji Pandey, J)

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