

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5990 of 2022

Arising Out of PS. Case No.-5 Year-2021 Thana- PUSA District- Samastipur

Abdul Quadir Son Of Amirul Haque Resident Of Village- Sankhera, P.S. Baheri, District- Darbhanga. At Present Residing At Mohalla- Brahmpura Menhi Hassan Road, P.S.- Brahmpura, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sufiya Jeba W/O Abdul Quadir, D/O Md. Zakir Husain At Present R/O Harpur Pusa, P.S. Pusa, Dist.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Sanjeev Kumar Jha, Advocate
For the Opposite Party	:	Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 26-04-2022 Heard learned counsel for the petitioner and learned APP for the State.

Despite service of notice upon opposite party no.2, she has chosen not to appear.

The petitioner apprehends his arrest in connection with Pusa P.S. Case No.05 of 2021 registered for offences under Sections 379, 498A/34, 323, 341 and 504 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Petitioner is the husband of the opposite party no.2.

Learned counsel for the petitioner submits that though allegations have been levelled against the petitioner but the allegations are false. He further submits that the opposite party



no.2 herself is a teacher and she does not want to stay with the petitioner.

There are allegations and counter allegations made by both the parties which cannot be decided in this proceeding.

In view of the law laid down by the Apex Court in the case of *Arnesh Kumar V State Of Bihar* reported in (2014) 8 SCC 273 , this application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released 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 learned Chief Judicial Magistrate, Samastipur in connection with Pusa P.S. Case No.05 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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