

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27571 of 2021

Arising Out of PS. Case No.-241 Year-2020 Thana- AAJAM NAGAR District- Katihar

1. ABU HAYAT @ HUYUT AVI S/O ABDUL SAMAD @ ABDUS SAMAD R/O RADHIKAPUR, P.S-HARISHCHANDRAPUR, DISTRICT-MALDA (WEST BENGAL).
2. ABDUL SAMAD @ ABDUS SAMAD S/O ARSHAD ALI R/O RADHIKAPUR, P.S-HARISHCHANDRAPUR, DISTRICT-MALDA (WEST BENGAL).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad
For the Opposite Party/s : Mr. Bimal Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-01-2022 At the very outset, learned counsel for the petitioner seeks permission to withdraw the present anticipatory bail application as against petitioner No. 2 (Abdul Samad).

Permitted to be withdrawn.

It is, thus, dismissed as withdrawn as against petitioner No. 2.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State video conferencing.

The petitioner apprehends his arrest in connection with Azamnagar P.S. Case No. 241/2020 registered for the offences punishable under Sections 341/323/307/498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.



So far as petitioner No. 1 Abu Hayat is concerned, he is the *Dewar* of the alleged victim and he being the junior member of the family, has no role in torture. Moreover, there is no allegation of assault against him.

In that view of the matter, the present anticipatory bail application is allowed.

Accordingly, let the **petitioner No. 1** above named be released on bail, in the event of his arrest or surrender before the court below within a period of ten weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, in connection with Azamnagar P.S. Case No. 241/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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