

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59537 of 2021

In
CRIMINAL MISCELLANEOUS No.19999 of 2019

Arising Out of PS. Case No.-958 Year-2017 Thana- COMPLAINT CASE District- Araria

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MD. IMRAN @ IBRAN S/o Subhan Resident of Village- Dahuwabari, P.S.-
Kursakanta, District- Araria.

... .. Petitioner

Versus

1. The State of Bihar
2. Bibi Rakhsara Khatoon W/o Imran, D/o Zahir Resident of Village- Musapur,
Birban Belwa, P.S.- Kursakanta, District- Araria.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-06-2022 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner as well as

learned Addl.P.P., Dr. Kumar Uday Pratap, for the State through

video conferencing.

Complainant, Bibi Rukhtar Khatoon, made allegation

against the petitioner who is her husband that he tortured her for

non-fulfillment of demand of dowry and in state of pregnancy

she was attempted to be killed by the petitioner.

The petitioner's anticipatory bail was rejected by the



court below and, thereafter, he preferred Cr. Misc. No. 19999 of 2019 for anticipatory bail before this Court. Vide order dated 20.06.2019 the petitioner was directed to appear before the court below on 09.07.2019 and file an affidavit mentioning that he is ready to keep the petitioner with full dignity and honour. It was also observed that after filing the affidavit he will be allowed provisional bail for a period of six months. The petitioner did not appear on the stipulated date.

Learned counsel for the petitioner submits that the petitioner was working in Punjab and it was the reason that he could not appear before the court below on stipulated date.

There is inordinate delay caused by the petitioner in appearance before the court below and trial has hampered for a considerable duration due to non-appearance of the petitioner but at the same time if he is not given an opportunity to appear and file an affidavit he shall sustain an irreparable loss.

Considering the aforementioned facts and circumstances, the petitioner is directed to appear before the court below within a period of six weeks from today and he shall file an affidavit as observed by this Court in Cr. Misc. No. 19999 of 2019 vide order dated 20.06.2019.

The petitioner before his surrender shall deposit Rs.



10,000/- as cost in the fund of District Legal Services Authority and at the time of surrender, he shall produce the receipt thereof before the learned court below.

With these observations, this criminal miscellaneous petition is disposed of.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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