

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80834 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- MAHILA P.S. District- Banka

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TAMIJ UDDIN @ MD. TAMIJ UDDIN Son of Late Rajjak Ansari Resident of Village - Mannadda, P.S.- Banka, District - Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Begam Khatun Wife of Tamij Uddin @ M. D. Tamij Uddin Resident of Village - Mannadda, P.S.- Banka, District - Banka. At present Address Resident of Village - Dara, D/O - Abdul Kaum, P.S.- Banka, District - Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 08-03-2022 Heard learned counsel for the petitioner and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Banka Mahila P.S. Case No. 30 of 2019 instituted for the offence under Sections 498A, 341, 323, 379, 504 and 34 of the Indian Penal Code.

In spite of valid service of notice upon the informant twice, she has chosen not to appear before this Court.

Petitioner is husband of the informant. This case relates to torture and harassment due to non-fulfillment of further dowry demand. Petitioner along with his family



members have ousted her from her matrimonial home after snatching her belongings.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband of the informant and has been falsely implicated in this case. He has never demanded anything from the informant. It is further submitted by learned counsel for the petitioner that petitioner is ready to keep his wife with full honour and dignity.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the submission made on behalf of the petitioner, this Court is inclined to enlarge him on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Banka Mahila P.S Case No. 30 of 2019 he will be enlarged 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, Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.

If the informant wishes to live with the petitioner, she



will file a petition before learned Court below. On receiving such a petition, the Court below shall issue a notice to the petitioner, when it is expected from the petitioner to comply the undertaking given before this Court to keep the complainant as wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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