

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13648 of 2023

Arising Out of PS. Case No.-244 Year-2022 Thana- MAHISHI District- Saharsa

MD. SHAHID JAMAL @ PYARE Son of Md. Sanaullah R/v- Dhapari, P.S.-
Maheshi, District- Saharsa

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KHUSHRANG HINA @ BABY PRAVEEN WIFE OF MD. SHAHID JAMAL @ PYARE, D/O EAKRAMUL HAQ Presently residing at Lilja, P.S.- Mahishi, O.P.- Jalai, District- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-04-2023 Heard learned counsels for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in connection with a case registered for the offence punishable under Sections 307, 498(A) and some other ancillary Sections of the I.P.C. and u/s 4 of Muslim Women (Protection of Right on Marriage) Act, 2019.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the



husband of the victim and he is ready to keep his wife with full honour and dignity. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in *2006(3) PLJR 182*. Petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub divisional Judicial Magistrate, Saharsa in connection with Mahishi (Jalai OP) PS case No. 244/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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