

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37382 of 2023

Arising Out of PS. Case No.-747 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MD. ASHIQUE SON OF MD. MOJIB @ MOJIBUR RAHMAN RESIDENT
OF VILLAGE - BELKA, P.S. - AMOUR, DISTRICT - PURNEA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SONIYA WIFE OF MD. ASHIQUE D/O HASIM, RESIDENT OF
VILLAGE - BELKA, P.S. - AMOUR, DISTRICT - PURNEA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 22-08-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Complaint Case no.747 of 2022 in which cognizance has been taken under section 498A of the Indian Penal Code.

3. As per the prosecution case, the allegation against the accused persons including the petitioner herein who happens to be the husband of the complainant is of torture, assault and demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on account of his being the husband of the complainant. After



enquiry, the case was found to be prima facie true and cognizance taken only under section 498A of the Indian Penal Code and not the other sections. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the complaint, the submissions made on behalf of the petitioner, cognizance having been taken only under section 498A of the Indian Penal Code and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with C.A. Case no.747 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Purnea.

(Partha Sarthy, J)

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