

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63230 of 2023**

Arising Out of PS. Case No.-1691 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

MD. EHTESHAM @ MD. AEHSAM @ MD. AHTESHAM @ MD. AHSAN
son of Md. Musa Sah R/o- Salespur Ps- Falka Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Momtaj Begum wife of Md. Ahtesham, D/o- Shamsuddin Village- Kamalpur
Po- Sihipur Ps- Azamnagar Dist- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Ajit Singh, Adv
Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Mr. Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 498A of the Indian Penal Code and Section 4 of the DP Act.

3. As per allegation in the FIR, petitioner is husband of the complainant and due to non-fulfillment he used to torture the complainant.

4. It is submitted by learned counsel for the petitioner that earlier petitioner was granted anticipatory bail by another Bench of this Court vide order dt. 18.02.2020 passed in Cr. Misc. No. 16997 of 2019 but he could not furnish bail bound



within stipulated time as he had gone to Punjab to earn his livelihood and he was not in touch with his pairvikar of this case. Section 82 Cr.P.C. was issued and due to police pressure, petitioner ultimately surrendered before the court below on 4.5.2023 and since then he is languishing in judicial custody.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned SDJM, Katihar in connection with Complaint Case No. 1691 of 2017.

(Sunil Kumar Panwar, J)

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