

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79705 of 2023

Arising Out of PS. Case No.-1719 Year-2022 Thana- COMPLAINT CASE District- Araria

MD. AKLIM @ SHANICHARA Son of Md. Wahab R/o vill - Pechaili, ward
no. 9, Bhikha, P.S. - Palasi, Dist. - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Mahjabi W/o Md. Aklim @ Shanichra, D/o Md. Alam R/o vill - Kujri, P.S. - Palasi, Distt. - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Naushad Uzzoha

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-06-2024 1. Heard learned counsel for the petitioner, Md.
Naushad Uzzoha, and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A of the Indian Penal Code.

3. The learned counsel for the petitioner submits that from perusal of the office report dated 19-4-2024, it would manifest that registered notice has been received by the OP No. 2 personally. It is next submitted that OP No. 2, despite receiving notice, has not appeared to contest the case.

4. It is further submitted that he has instruction to make submission on behalf of the petitioner that OP No. 2 is



staying with the petitioner and thus has not appeared to contest the case despite receiving notice personally.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 1719 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the OP No. 2 would be at liberty to file an application before this court seeking cancellation of the anticipatory bail granted to the petitioner, in the event, if she is not staying with the petitioner and the petitioner has obtained anticipatory bail by misleading the Court.

(Satyavrat Verma, J)

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