

Court of Sessions Judge, Kishanganj
Anticipatory Bail Petition No. - 511/2022
(Complaint Case no. C 17/2017)

Md. Mahboob Alam (Petitioner)

Vs.

The State of Bihar (Opposite Party)

For the Petitioner : Shri Khwaja Mojibur Rahman (Advocate)
For the State : Shri S.N.P. Saha (P.P.)

15-10-2022 This anticipatory bail petition has been filed on behalf of petitioner Md. Mahboob Alam, who is apprehending his arrest in connection with Complaint Case No. C 17/2017 registered u/s 498- A of the IPC.

Learned counsel of the petitioner submitted that the petitioner happens to be husband of the complainant and the alleged offence is of u/s 498- A of the IPC. He further submitted that the petitioner and the complainant have already settled their score and have been living together. However, on account of the fact that this information was not available on the record of the court below and the petitioner could not appear, as such, non bailable warrant has now been issued and thus he has moved this court for grant of anticipatory bail.

Learned P. P. submitted that it is an old complaint case and vide order dated 02-08-2017 itself summons were issued but the petitioner failed to appear despite knowledge and as such he does not deserve the privilege of anticipatory bail.

Considering the aforesaid submissions, this court does not see any reason as to why the learned court below will refuse for prayer of bail of this petitioner in case he surrenders in presence of the complainant and the complainant makes a statement regarding compromise.

In view of the aforesaid facts and circumstances, the anticipatory bail petition of the petitioner namely Md. Mahboob Alam is hereby **dismissed** with direction to the petitioner to surrender within a period of two months whereupon the learned court below will pass appropriate order taking into account the submission that the complainant and this petitioner are husband and wife and have settled their disputes and difference. .

Dictated

sd/-
Sessions Judge
Kishanganj