

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31128 of 2014

Arising Out of PS.Case No. -1117 Year- 2012 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Md. Zifrullah Khan @ Md. Zafrullah Khan @ Chiraiya Master son of
Md. Nasrullah, Resident of village- Pakhanaha, P.S.- Shrinagar Pujahan,
District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Saheena Khatoon, D/O Rafique Khan, R/O Village –Jhaua Tola,
Pakhanaha, P.S.- Pujahan, Shrinagar, District – West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party/s : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-03-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 1117C of 2012, registered for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The petitioner is husband. Notice was issued, but even after receipt of the notice the opposite party no. 2 did not appear.

The complainant made allegation of demand of dowry and torture against the petitioner. It has been submitted that the complainant filed this complaint case on 24.05.2012. After filing of the complaint, the complainant again filed Bairiya P.S. Case No. 230 of 2012 in which she made allegation that the petitioner

established physical relationship with her on the assurance of marriage and the marriage was also solemnized on 20.05.2012. It appears that immediately thereafter the complainant filed the present complaint case on 24.05.2012. It is further submitted that the petitioner was never married to the complainant and the case has been filed only with a view to put pressure.

Considering the facts aforesaid the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 the Learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 1117C of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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