

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43884 of 2015

Arising Out of PS.Case No. -1525 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Md. Mazoor Alam @ Mazare Alam @ Manzar Alam, son of Gulzar Mian,
resident of Village-Bahuara Haribansh, P.S.-Kalyan Pur, District-East
Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Jubeda Khatoon wife of Manzar Alam, daughter of Suleman Mian,
resident of Village-Vatwaliya P.S.-Kalyan Pur, District-East
Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-09-2015 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant. It is further submitted that complainant filed another case being Kalyanpur P.S. Case No. 143 of 2013 on 21.07.2013 with accusation under Sections 341, 323, 324, 307, 498A, 504/34 of the Indian Penal Code, wherein the petitioner has been granted bail vide order dated 03.03.2014 passed in Cr. Misc. 2022 of 2014 on making payment of Rs.

750/- per month to the complainant as maintenance and the said amount is being paid by the petitioner regularly. The petitioner also claims that he has divorced the complainant as per muslim rites and has filed Matrimonial Suit No. 72 of 2013 for declaring the complainant a divorcee.

Considering the fact that in the subsequent case with similar accusation, the petitioner has been granted bail on payment of maintenance amount of Rs. 750/- per month to the complainant, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar at Motihari, East Champaran in connection with Trial No. 2391 of 2014, arising out of Complaint Case No. 1525 of 2012.

(Dinesh Kumar Singh, J)

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