

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38555 of 2014

Arising Out of PS.Case No. -1876 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Md. Munstsir @ Muntasir @ Muntasir son of Sheikh Kashim, resident
of Village-Bhamra, P.S.-Sadar, District-Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sagupta Khatoon wife of Md. Munstsir @ Muntasir, daughter
of Md. Badruddin, resident of Village-Bhamra, P.S.-Sadar, District-
Purnea

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar

For the Opposite Parties : Mr. Sangita Sharma (App)

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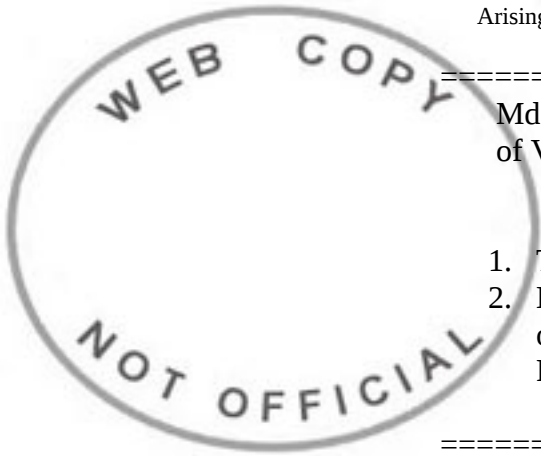
CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-05-2015 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 under Sections 498A of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

The basic accusation is torture for non-
fulfilment of dowry demand.

The petitioner and the complainant are
present. The petitioner is denying the factum of marriage with
the complainant whereas complainant claims to have married
with the petitioner on 27.08.2012 and she wants to resume the
conjugal life.

Considering the fact that factum of marriage
is in dispute, 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 provisional anticipatory bail for six months, 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, Purnea in connection with Complaint Case No. 1876 of 2013.

Let learned Court below conduct an enquiry with regard to the factum of marriage between the petitioner and the complainant. If learned Court below comes to the conclusion that petitioner had not validly married with the complainant then the provisional bail of the petitioner will be confirmed by learned Court below. But, if learned Court below comes to the conclusion otherwise then petitioner will surrender and pray for regular bail.

Shageer/-

(Dinesh Kumar Singh, J)

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