

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42481 of 2014

Arising Out of PS.Case No. -95 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Md. Safi Alam @ Pintu Son of Late Md. Noor Alam Resident of Village
- jabbarchak, P.S. - Rajoun, District- Banka.

.... Petitioner

Versus

1. The State of Bihar
2. Bibi Raushan, Daughter of Md. Muslim At present resident of village -
Mahesh Munda, P.S. - Kahalgaon, District- Bhagalpur.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Md. Nurul Hoda
For the Opposite Party No-2 : None
For the State : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 23-06-2015 Heard learned counsel for the petitioner and the State.

No one has appeared on behalf of the opposite party no.2

The petitioner is husband and is accused of complaint
case no. 95 of 2013 registered under Section 498A of the IPC and
Section 34 of the Dowry Prohibition Act, lodged by the
wife/opposite party no.2.

It is submitted that the complainant is unable to
adjust in the matrimonial home and left the home on her own
volition although the petitioner is always ready and willing to
have her in the matrimonial home as his wife and give full honour
and respect. It has been submitted that positive effort shall be

made by him to resolve the matrimonial discord.

In the facts and circumstances of the case, let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bhagalpur in connection with Complaint case no. 95 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

(i) One of the bailors shall be the own/close family member of the petitioner.

(ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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