

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2819 of 2015

Arising Out of PS.Case No. -33 Year- 2014 Thana -MAHILA PS District- DARBHANGA

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1. Md. Nasiruddin Alam @ Md. Nasruddin Alam Son of Md. Noor Alam
Resident of Village - Bhauara Ward No.24, P.S- Madhubani Town, District
- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sadaf Yasmeen Wife of Md. Nasiruddin Alam @ Md. Nasruddin Alam,
D/o Abdul Rauf Ansari At present Resident of Mohalla - Sara Mohanpur,
Police Station - Sadar, District - Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha
For the Opposite Party/s : Mr. R.B. Roy Raman (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 21-01-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the informant
and apprehends his arrest in connection with Mahila P.S. Case No.
33 of 2014 registered for the offences punishable under Sections
498A, 504/34 of the Indian Penal Code and 3/4 of Dowry
Prohibition Act.

Although, there is allegation of demand of dowry as
well as torturing but submission on behalf of the petitioner is that
petitioner has already filed suit for restitution of his conjugal
rights but the informant herself does not want to lead her conjugal

life with the petitioner. It is also pointed out by him that the learned Sessions Judge took pain to patch up the dispute of the parties and persuaded the informant to lead her conjugal life with the petitioner but informant flatly refused to do so which is evident from perusal of impugned order dated 05.01.2015 itself.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall 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 Sub Divisional Judicial Magistrate, Darbhanga in Mahila P.S. Case No. 33 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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