

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37598 of 2014

Arising Out of PS.Case No. -925 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Md. Jiyo Khan @ Jiyaddin Khan @ Jiyo Khan son of Jainul Khan,
Resident of village- Fatahpur, P.S. Sonebarsa, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Hasmati Khatoon, daughter of Ainal Khan, Resident of village- Fatahpur,
P.S. Sonebarsa, District- Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Singh-5(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-03-2015

Heard both sides.

The petitioner apprehends arrest in a case under sections 498-A of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

The wife complainant made allegation against the petitioner that the petitioner subjected her to physical and mental torture due to non-fulfillment of demand of dowry.

It is submitted on behalf of the petitioner that the complainant was married to the petitioner in the year 1999. The complainant herself left the house of the petitioner after deserting him. The complainant filed Sonbarsa P.S. Case No. 55/2005 and

in the aforesaid case the complainant filed protest-cum-complaint petition No. 1230 of 2007 in which she stated that she developed affairs with one Istekhar Khan who established physical relation with her on the assurance of marrying with her.

It appears that the complainant herself deserted the petitioner and she developed extra marital relation with one Istekhar Khan. When Istekhar Khan refused to marry, the complainant filed Sonbarsa P.S. case No. 55/2005 and she also filed a protest complaint petition.

Considering the facts aforesaid, the petitioner above named, in the event of arrest or surrender before the learned 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 Sub-divisional Judicial Magistrate, Sitamarhi Sadar in connection with Complaint Case No. C-1-925 of 2013 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

Amin/-

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