

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21356 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -AMDABAD District- KATI HAR

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Md. Nasim S/o Najrul Haque Resident of Village - Lal Bathani, Bari Masjid Tola, P.S. - Muffasil Sahebganj, District - Sahebganj.

.... Petitioner.

Versus

1. The State of Bihar.
2. Rukhsana Khatoon W/o Md. Nasim, D/o Allaiddin At Present Residing at Baijnathpur P.S. Ahmedabad, District - Katihar.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 498A of I.P.C. & Section 34 of the Dowry Prohibition Act.

The prosecution case, in short, is that the informant gave written application to the S.H.O. written by the Katib on 15.01.2015 alleging therein that her marriage was solemnized 1 and half year back with Md. Nasim (Petitioner) under the Muslim right and ritual, and informant have one male child from this wedlock. It was stated that after marriage she live peacefully in her matrimonial home thereafter the husband and other family members tortured to the informant for dowry. It was further



alleged that they demanded Rs. 40,000/- for motorcycle and due to non-fulfilment his demand she subjected to tortured mentally and physically. It was further alleged that the informant informed her father the father of informant came and brought her daughter and after that a panchaity was held the husband of informant assured that he will keep his wife full dignity but again they started tortured and also assaulted the informant and lastly on 4.11.14 they all assaulted her by foot, fist and sticks and also try to cut her neck by Hasuwa the neighbour came and save her thereafter she was ousted from her matrimonial home. It was further alleged that they keep all the articles which was given by her father.

It has been submitted that the petitioner is ready to keep the informant with all full dignity and respect but the same is not acceptable. It has further submitted that the petitioner shall deposit an amount of Rs. 2,000/- each month, which may be released in favour of the informant.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and the circumstances, it is directed that the petitioner shall deposit Rs. 2000/- in each month in the Court below, which shall be released in favour of the informant, with foresaid condition let the above

named petitioner, in the event of his arrest or surrender in the Court below within a period of four weeks, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Amdabad P.S. Case No. 10/2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Sudhir Singh, J.)

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