

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49678 of 2014

Arising Out of PS.Case No. -918 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

=====

Md. Zafir @ Md. Zafir Alam son of Md. Abbas Resident of Village -
Kursail, Police Station- Mahalgaon, District-Araria.

.... Petitioner/s

Versus

1. State of Bihar
2. Bibi Jannati wife of Md. Zafir @ Md. Zafir Alam, daughter of Md.
Ibrahim, Resident of Village - Chakai, P.O. Chakai, Via- Jokihat, P.S.
Jokihat, District- Araria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Surendra Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2015 The petitioner is apprehending his arrest in connection

with Complaint Case No. 918 C of 2013 instituted for the offence

under Section 498(A) of the Indian Penal Code.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The prosecution case, in brief, is that the complainant

(Opp. Party no.2) has alleged that her husband and her in-laws

made demand a motor cycle and Rs.1.5 lacs for business. They

subjected her to cruelties in various ways. It is further alleged that

the complainant miscarriage her pregnancy twice on account of

physical assault. They also tried to set her on fire.

On behalf of the petitioner it is submitted that prior to

institution of the present case, a matrimonial case was filed, which

is annexed as Annexure 2 to the present application. It is further submitted that the petitioner is ready to keep his wife with full dignity and honour . It is also submitted that the petitioner and the complainant, after intervention of well wishers, have compromised the matter and they are living together.

Considering the aforesaid facts, let the petitioner, in the event of his arrest/surrender in the court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Shri A.K.Dixit, learned Judicial Magistrate, 1st Class, Araria, in connection with Complaint Case No. 918 C of 2013 ,subject to the conditions, as laid down u/s 438(2) Cr.P.C. with a direction that the court below shall issue notice to the complainant and on her appearance, the court below shall verify the fact whether the complainant and the petitioner are living together or not. In case it is found that the complainant is not living with the petitioner, then the petitioner is directed to deposit an amount of Rs. 3000/- (three thousand), every month, in the court below, which shall be released in favour of the complainant and only thereafter the petitioner's bail bond shall be accepted.

(Sudhir Singh, J)

singh/-

U		T	
---	--	---	--