

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27512 of 2015

Arising Out of PS.Case No. -167 Year- 2014 Thana -KUSHESHWARSTHAN
District- DARBHANGA

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Shahnawas Hussain @ Shahnawaz Hussain, S/o Zahir Shah @ Md. Zahir,
Resident of Village- Hathori Basoul, P.S.- Kusheshwar Asthan, District
Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Dr. Abdus Shakoor, Advocate

For the State : Mr. Braj Kishore Prasad(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 03-12-2015 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of Opposite Party No.2 as

well as the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Kusheshwar Asthan P.S. Case No.167 of 2014
for allegedly having committed the offence under Sections 36,
313 and 506/34 of the Indian Penal Code.

Earlier notices were issued to Opposite Party No.2
for being personally present. Today, the petitioner is also
present and submits that he is willing to take his wife (Opposite
Party No.2 herein) and keep her with all honour and dignity
and that there shall be no recurrence of any untoward incident
so as to cause any mental torture to her. Opposite Party No.2 is

also eager and willing to go with her husband, namely, Shahnawas Hussain @ Shahnawaz Hussain. She submits that if the petitioner takes her to her matrimonial home, she is willing to go and co-operate with him and live as husband and wife.

Considering the positive attitude of both the parties and the undertaking given by the petitioner to this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 the learned Sub-Divisional Judicial Magistrate, Biroul at Beniput, in connection with Kusheshwar Asthan P.S. Case No.167 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Let the petitioner take appropriate steps to take his wife, namely, Sabila Khatoon, from the Court itself to her matrimonial home.

(Anjana Mishra, J)

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