

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33010 of 2014

Arising Out of PS.Case No. -315 Year- 2013 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Md. Sanaul son of Late Md. Aslam, Resident of village - Jalkaura ,P.S.
Gangour (Khagaria) District -Khagaria .

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arshida Khatoon . W/o Md. Sanaul . D/o Md. Sarif Resident of village
- Jalkaura P.S. - Gangour (Khagaria) Dist. Khagaria .

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 09-02-2015

Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No. 315C/13 registered under Sections 498A and 323 of the
Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition
Act.

The complainant-wife made allegations against the
petitioner-husband about demand of dowry and torture.

Learned counsel for the petitioner submits that the
complainant of course made allegations against her husband, but
when she was examined on Solemn Affirmation, she gave a
different picture. She disclosed that her husband did not solemnize
second marriage. She wanted to take divorce and, therefore, she

has filed the present case.

It appears that the complainant herself divulged in her Solemn Affirmation that she wanted to take divorce but her husband does not want to give her divorce.

Considering the facts aforesaid, the above named petitioner, in the event of his 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 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, Khagaria in Complaint Case No. 315C/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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