

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12998 of 2015

Arising Out of PS.Case No. -290 Year- 2009 Thana -COMPLAINT CASE District- ARRARIA

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Md. Aslam @ Aslam, Son of Late Sk. Zainuddin, Resident of village -
Butter Wadi, P.S.+ District - Araria, At present Resident of village -
Domaria, P.S.- Mahalgaon, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Asmati Ara, Wife of Md. Aslam, Daughter of Sajjad Hussain.
Resident of village - Manikpur Tola, Lakhmipur, P.S.- Araria, District -
Araria.

.... 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 RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 20-05-2015 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No.290C of 2009 registered under Section 498-A of the
Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits
that the petitioner happens to be the husband of the complainant/opposite
party no.2 and due to quarrel with her mother-in-law, the
complainant/opposite party no.2 has lodged this false case making
allegation against the petitioner and his family members for demand of
cash Rs.50,000/- and buffalo, after 11 years of the marriage with the

petitioner. It is further submitted that due to wedlock with the petitioner and the complainant/opposite party no.2, there are four children and the petitioner is still ready to keep the complainant/opposite party no.2 with full honour and dignity.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within four weeks, be enlarged on provisional bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Araria, in connection with Complaint Case No.290C of 2009, subject to the conditions laid down under Section 438(2) Cr.P.C.

Learned trial court is directed to issue notice to the complainant/opposite party no.2 and make attempt to resolve the dispute in between the petitioner and the complainant/opposite party no.2 by taking all possible efforts and if the dispute is resolved in between the petitioner and the complainant/opposite party no.2, then confirm the provisional bail of the petitioner. If the dispute is not resolved in between them, then the trial court will pass the order on its own merit.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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