

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3307 of 2015**

Arising Out of PS.Case No. -2017 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE  
District- MUZAFFARPUR

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Masoom Raza, Son of Late Haji Ahmad Raza, Resident of Mohalla – New Colony House No. 87, Mithanpura Chowk, P.S. – Mithanpura, District – Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Syed Md.Iqbal Hasan Rahmani, Advocate.

For the Opposite Party/s : Mr. Bharat Lal(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**

**JHA**

**ORAL ORDER**

2      27-01-2015                      Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 2017 of 2013, registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The wife-complainant made allegations that immediately after marriage the petitioner started to physical and mental torture. She alleged that in the year 2008, her father purchased a piece of land in the name of complainant, but even thereafter the petitioner continued to torture her.

Learned counsel for the petitioner submits that the marriage was solemnized in the year 1998. The complainant got a female child aged about 11 years. The petitioner allowed her to

continue her study and she is B.A. and B.ed. The wife is not ready to live with the petitioner although the petitioner made his best efforts.

Having considered the facts aforesaid and the fact that after 14 years of marriage the complainant filed this case making allegation against her husband that she was continuously tortured by her husband, but she never filed any petition to this effect in any court, the petitioner, 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, is directed to be enlarged 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, East Muzaffarpur in connection with Complaint Case No. 2017 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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