

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24409 of 2015

Arising Out of PS.Case No. -1275 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Md. Wajid Ali @ Wajid Ali

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of the dowry demand.

On submission of learned counsel for the petitioner that petitioner is ready to keep or settle the issue with the complainant, notices were issued to the complainant vide order dated 29.06.2015, statement to that effect has been made in paragraph no.24 of the petition which reads as follows:-

“That the petitioner is ready to keep or settle all disputes with the complainant.”

The petitioner and the complainant are present in the court. The petitioner stands by his earlier undertaking but the complainant is not ready to accept the offer of the petitioner and she claims that the petitioner has divorces her as per the Muslim rites. Though, the petitioner denies the factum of divorce.

Considering the fact that the complainant is not ready to resume the conjugal life, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Muzaffarpur in connection with Complaint Case No. C1275 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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