

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.612 of 2016

Arising Out of PS.Case No. -3023 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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1. Md. Mojahid Son of Sah Mosaheb, Resident of Village - Chakai, P.S. - Jokihat, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Gufrana, D/o Noor Alam, Resident of Village - Chirah, P.S. - Mahalgaon, District - Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 15-02-2016

Petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

The petitioner and the complainant are present.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant and birth of a male child but he is not ready to resume the conjugal life since petitioner claims to have divorced the complainant as per muslim rite.

Learned counsel for the complainant submits

that complainant disputes the factum of divorce and is ready to resume the conjugal life.

In the circumstance, let learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 3023 of 2013, pending in the Court of learned Sub-Divisional Judicial Magistrate, Araria.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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