

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4390 of 2016

Arising Out of PS.Case No. -44 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

Sabul Mian S/o Sheikh Amrullah

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. Sabreen Khatoon W/o Md. Sabul

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 147, 323, 379, 498A, 504, 506 of the Indian Penal Code.

Basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and the informant earlier filed Complaint Case No.765/2010 levelling accusation under section 498A IPC wherein the petitioner has

been granted bail. Subsequently, the informant filed Matrimonial Case No.29/2014 with a prayer for maintenance wherein the petitioner has been directed to make payment of Rs.1500/- per month, which the petitioner is regularly paying. A statement to that effect has been made in paragraph 8 of the petition, which reads as follows :-

"8. That it is also stated and humbly be submitted that the present informant filed a Matrimonial Case No.29/2014 before the learned family court, Motihari in which petitioner has been directed to pay Rs.1500/- per month to the informant accordingly the petitioner being husband of the informant used to pay Rs.1500/- per month regularly to the informant in compliance of the order passed by the learned court below."

The petitioner further submits that in spite of the above fact the petitioner is still ready to keep the informant with dignity and honour. A statement to that effect has been made in paragraph 13 of the petition, which reads as follows :-

"13. That the petitioner is still ready to keep his wife with full dignity and honour."

Considering the aforesaid facts, 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 ACJM, Motihari in connection with Madhuban P.S. Case No.44/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)

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