

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37577 of 2016

Arising Out of PS.Case No. -1679 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Md. Saifullah @ Saifullah Son of Md. Kalimullah Resident of Dwarika Lal Lane, Champa Nagar, PS. Nathnagar, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Reshma wife of Md. Saifullah , D/o Md. Ishrat Ali Resident of Dwarika Lal Lane, Champa Nagar, PS. Nathnagar, District Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-08-2016 Heard learned counsel for the petitioner and the State.

Petitioner being the husband of the complainant is languishing in custody since 30.06.2016 in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the complainant. The complainant has also filed Maintenance

Case No. 118 of 2015 on 28.07.2015, though, the present complaint was filed on 27.07.2015. But during the maintenance proceeding the complainant did not disclose this fact and the petitioner was never served with any summons. At present, the petitioner is not ready to keep the complainant.

It is submitted by the learned counsel for the complainant that complainant is still ready to resume the conjugal life or for part ways on payment of permanent alimony as one time settlement amount.

Considering the nature of accusation, let the above named petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 1679 of 2015.

(Dinesh Kumar Singh, J)

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