

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39635 of 2014

Arising Out of PS.Case No. -372 Year- 2012 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

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Md. Akhtar Son of Mahboob Alam Resident of Mohalla - Mehdi Hasan Chowk, Near Kila Chowk, Brahmpura, P.S. Brahmpura, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Roksana Khatoon D/o Late Motiphur Rahman, W/o Md. Akhtar R/o Mohalla - Mehdi Hasan Chouk, Near Kila Chouk Brahmpura, P.S. Brahmpura, District- Muzaffarpur, AT present, R/o Mohalla - Kanhauli Dih, Ward No. 41, P.S. - Mithanpura, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 03-02-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 498(A) of the Indian Penal Code and 4 of Dowry Prohibition Act registered in connection with Complaint Case No. 372 of 2012.

3. It is submitted that the petitioner has been falsely implicated and this is the first such complaint by the opposite party no. 2 since the parties were married about eight years prior thereto. The petitioner expresses his willingness to keep the opposite party no. 2 with due dignity and honour but she is unwilling to live with him unless he

makes separate arrangement for the residence of the children from his previous marriage.

4. Despite notice being issued to the opposite party no. 2, none appears on behalf of opposite party no. 2 when the matter is called today.

5. Having regard to the entirety of the facts and circumstances of the case, the provisional anticipatory bail granted to the petitioner by order dated 19.03.2015 pending in the Court of learned S.D.J.M. (East), Muzaffarpur in connection with Complaint Case No. 372 of 2012 is hereby confirmed.

(Vikash Jain, J)

Md. Ibrarul/-

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