

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57566 of 2015

Arising Out of PS.Case No. -890 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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MD. MAHBOOB AALAM @ MD. MAHBOOB @ MAHBOOB ALAM,
Son of Md. Mohibur Rahman, R/o Village Madhopur, P.S. Waris Nagar,
District Samastipur, presently residing at Mohammed Shekh Sarai, Phase-2,
Quarter No.7, Near Shaheed Nagar Bhagat Singh College, P.S.- Malviya
Nagar, District- South Delhi-17

.... Petitioner/s

Versus

1. The State of Bihar
2. Sheikh Sherat Khatoon, Wife of Md. Mahboob Aalam, D/o Md. Taslim,
R/o Village Madhopur, P.O. Kishanpur, P.S.- Waris Nagar, District
Samastipur. At present resident of Sundarpur Ratwara, P.S.- Pear, District
Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Advocate
For the Opposite Party/s : Mr. R.P.S.Singh(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 15-01-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Complaint Case No.890 of 2014, Trial
No.3807 of 2015, for allegedly having committed the offence
under Sections 323, 341, 504 and 498A of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that there
has been serious dispute between the parties, as a result of
which allegation has been lodged. He submits that although the

petitioner is willing and ready to keep his wife with all honour and dignity, O.P. No.2 has indulged in such activities, which resulted in filing of the divorce case, which is pending adjudication. It is on account of filing of such divorce case, that the present prosecution has been lodged by O.P. No.2.

Considering the aforementioned facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Subhash Kumar Ray, learned Judicial Magistrate, 1st Class, District-Muzaffarpur, in connection with Complaint Case No.890 of 2014, Trial No.3807 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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