

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58031 of 2015

Arising Out of PS.Case No. -282 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Md. Mohseen S/o Late Seikh Geyasuddin Resident of Village - Devanchak
Paharpur, P.S. -Mehrama, District - Godda (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Gul Afsan Khtoon Daughter of Md. Rustam Resident of Village -
Danapur, Pirpainti Bazar, P.S. - Pirpainti, District - Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. S.D. Singh Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

05/ 18-08-2016

Heard learned counsels for the petitioner
and the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein process has been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A of
the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits
that the petitioner admits his marriage with the complainant but

the petitioner claims to have given Talak to the complainant as per Muslim rites.

However, counsel for the complainant submits that though the complainant disputes the factum of Talak and is ready to resume the conjugal life in spite of the fact that the petitioner has performed second marriage.

Counsel for the petitioner submits that the petitioner is not ready to accept the offer of the complainant.

In the circumstances, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 282 of 2014 pending in the court of learned Sub-divisional Judicial Magistrate, Bhagalpur.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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