

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31666 of 2016

Arising Out of Complaint Case No. -258 Year- 2014 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Md. Wakil Alam Son of late Bali Muhammad

.... Petitioner/s

Versus

1. The State of Bihar

2. Amina Khatoon Daughter of Md. Muslim Ansari

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 17-10-2016

Heard learned counsels for the petitioner and the

State.

The petitioner being the alleged husband of the complainant is apprehending 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 Section 4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner denies the factum of marriage. Moreover, the petitioner filed Informatory Petition No.19/2014 against the complainant at earlier point of time as contained in annexure-2

to the petition alleging therein that the complainant is in habit of impleading people in false cases.

A counter affidavit has been filed on behalf of the complainant annexing therein Nikahnama.

It appears that the matter was adjourned at the behest of the counsel for the petitioner for seeking instruction with regard to the Nikahnama brought on record on behalf of the complainant.

Learned counsel for the petitioner submits that he has not received any instruction with regard to the Nikahnama brought on record by the complainant.

Considering the nature of accusation, let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No.258C/2014, before the learned SDJM, Buxar,

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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