

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39862 of 2015

Arising Out of PS.Case No. -1327 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Sahabuddin Mian s/o Nasrullah Mian,

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jisma Khatoon W/o Shahabuddin Mian

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad, Advocate

For the Opposite Party/s : Mr. Indra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 15-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the 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, 341 and 323 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant but has divorced her as per Muslim rituals.

In pursuance to the notices issued to the complainant, the petitioner and the complainant are present.

An affidavit has been filed on behalf of the petitioner to the effect that the issue has been resolved on payment of Rs.30,000/-.

Counsel for the complainant Mr. Uday Pratap admits that he has received Rs.30,000/- cash for being handed over to the complainant and is not opposing the prayer for bail of the petitioner.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Bettiah, West Champaran in connection with Complaint Case No.1327 C/2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

It is expected from the learned counsel for the complainant to make endorsement about receipt of money. Though, no affidavit with regard to resolution of the issue has been filed on behalf of the complainant.

(Dinesh Kumar Singh, J)

Ashwini/-

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