

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2154 of 2016

Arising Out of PS.Case No. -70 Year- 2003 Thana -BIHPUR District- BHAGALPUR

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1. Sk. Tajjamul @ Md. Tajjamul, Son of Sk Ibrahim
2. Ajjamul @ Md Ajjamul, Son of Sk. Ibrahim Both are resident of Village-
Babhangama (Meer Tola), P.S.- Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Navsara Khatun, Daughter of Md. Idrish, Resident of Village-
Babhangama (Paithan Toli), P.S.- Bihpur, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha

For the Opposite Party/s : Mr. Pradeep Narayan Kr.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the informant
and petitioner no.2 being brother of petitioner no.1 are
apprehending arrest in a case registered for the offences
punishable under Sections 498A, 341, 342 and 323 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of
the dowry demand and making assault to the informant.

It is submitted by learned counsel for the petitioners that
the petitioner no.1 admits his marriage with the informant but it is
the informant who deserted petitioner no.1 and has performed
second marriage, even then petitioner no.1 is ready to keep the

informant as wife with full dignity and honour, statement to that effect has been made in para 8 of the petition, which reads as follows:-

“That the petitioner no.1 being husband was/is still ready to accept the informant as his wife and is ready to keep her provided the informant is ready to join the company of the petitioner no.1 (husband).”

Considering the fact that the case was instituted in the year 2003, this Court is not inclined to interfere, however, in view of the present stand of petitioner no.1, it is a case for consideration of regular bail of the petitioners if they surrender within a period of six weeks in connection with Bihpur P.S. Case No. 70 of 2003 pending in the court of learned SDJM, Naugachia.

Accordingly, the application is disposed of .

(Dinesh Kumar Singh, J)

Amrendra/-

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