

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52222 of 2015

Arising Out of PS.Case No. -1960 Year- 2010 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Muzaffar, son of Israil, Resident of Village- Chatra, P.S. Dagarwa,
District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sayra W/o Muzaffar Daughter of Muddin Resident of Village-
Chatra, P.S Sadar Dagarwa, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nadimul Hasan, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

5 12-05-2016 Heard learned counsel for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that petitioner admits the marriage with the complainant, but he subsequently given talak as per the

Muslim rituals prior to filing of the complaint case.

Notices were issued to the complainant vide order dated 10.11.2015. The office notes dated 01.02.2016 reflects that notices were served by the counsel for the complainant appearing before the learned court below.

None appears on behalf of opposite party no. 2 on 04.02.2016 and 29.03.2016. Today also none is appearing on behalf of opposite party no. 2. The notices issued to opposite party no. 2 is treated to be validly served.

In view of fact that non appeared on behalf of opposite party no. 2 to controvert the contention of learned counsel for the petitioner, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea in connection with Complaint Case No. 1960 of 2010, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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