

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4735 of 2017

Arising Out of PS.Case No. -541 Year- 2014 Thana -COMPLAINT CASE District- BANKA

=====

1. Md. Faiyaz Alam, Son of Md. Ibrahim, Resident of Village-Madadda,
P.O. Pothia, P.S. Sanhoula, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Umera Khatoon, Wife of Md. Faiyaz Alam, D/O Md. Islam,
resident of village- Khaira, P.O. Ranjodha, P.S. Dhoraiya (Dhankund),
District- Banka.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Sakir Ahmad

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-04-2017 It appears that in spite of notice validly served upon

informant-opposite party no. 2, she has not appeared before this

Court, however, learned counsel for the petitioner and learned

Counsel for the State are present.

The petitioner is apprehending his arrest in connection
with Complaint Case No. Case No. 541 of 2014, registered for
offences punishable under Sections 323, 379, 498(A), 504 and 427
Indian Penal Code and Section 4 of Dowry Prohibition Act.

It has been submitted on behalf of the petitioner that
petitioner is still ready to keep the complainant-opposite party no.
2 with full honour and dignity and as a matter of fact has also filed
a case before Principal Judge, Family Court, Bhagalpur, for



restitution of conjugal rights and, thereafter, the present case has been filed by the complainant. Further, conduct of the complainant will also appear that in spite of notice, she has not appeared in this Court.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation and as the petitioner is still ready to live with the complainant and has also filed a case before Principal Judge, Family Court, Bhagalpur for restitution of his conjugal rights, as such, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Banka in connection with Complaint Case No. 541 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Vinod Kumar Sinha, J)

sunil/-

U		T	
---	--	---	--

