

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5599 of 2017

Arising Out of PS.Case No. -280 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Zuber Khan, Son of Sajal Khan, R/o Village- Didhoch, P.O. Dhanhar, P.S. Pranpur, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rabina Khatoon, W/o Juber Khan, D/o S.K. Bakkar, R/o Village- Nirpur Channi, P.S. Panikamla, P.S. Amdabad, Distt. Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karuna Kant Jha, Advocate.
For the Opposite Party/s : Mr. Sri Nand Kishore Pd. APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 01-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Katihar Complaint Case No. 280 of 2016, registered under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The accusation is of torturing the complainant-opposite party no.2 by her husband and in-laws due to non-fulfillment of demand of dowry and also ousting from her matrimonial house.

Learned counsel for the petitioner submits that while



petitioner is ready to keep his wife-opposite party no.2 with full dignity and honour but the complainant-opposite party no. 2 is not ready to live with the petitioner. In fact, when the petitioner filed Matrimonial Case No. 534 of 2015 in the court of Principal Judge, Family Court, Katihar, on 23.11.2015, for restitution of conjugal right then this case has been filed to put under pressure upon petitioner and his family members.

Having regard to the facts and circumstances of the case, 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 six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Katihar, in connection with Katihar Complaint Case No. 280 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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