

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22746 of 2017

Arising Out of PS.Case No. -200 Year- 2016 Thana -PURNEA SADAR District- PURNIA

=====

Md. Minaj @minhaj alam, Son of Md. Alam, resident of Village- Masuria,
P.S. Sarai, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Khusboo Praveen D/o Mustafe Hussan wife of Md. Minaj R/o Lal Bagh
Purnea Siri, P.S. Sadar, District-Purnea.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 06-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
11.03.2017 in connection with Sadar (District-Purnea) P.S. Case
No. 200 of 2016, corresponding to G.R. No. 1899 of 2016 for
offences punishable under Sections 498(A), 370, 34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his sister Khusboo Praveen was married to the petitioner eight
months back and after 15 days she accompanied her husband to
Delhi. It has further been alleged that although the informant's
mother received the call from the victim lady that she was in Delhi



but unknown persons had informed on 08.06.2016 that his sister has become traceless from Katihar Railway station.

It has been submitted by the learned counsel for the petitioner that he is innocent and he is ready to keep his wife with full dignity and honour. He submits that the victim lady is not traceless as she has made her statement before the Magistrate under 164 Cr.P.C.

However, learned counsel for the informant submits that his sister is not yet to be found and as such opposes the prayer for bail.

Learned APP for the State also opposes the prayer for bail but states that the victim lady has given her statement under 164 Cr.P.C. before the Magistrate which is evident from the impugned order.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on provisional bail for three months on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar (District-Purnea) P.S. Case No.200 of 2016, corresponding to G.R. No. 1899 of 2016, during which period the petitioner and the victim lady will appear before



the learned court below and the provisional bail of the petitioner will be confirmed by the learned court below in three eventualities:

(I) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Nilu Agrawal, J)

Devendra/-

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

