

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5754 of 2018

Arising Out of PS.Case No. -75 Year- 2017 Thana -WEST CHAMPARAN COMPLAINT District-
WEST CHAMPARAN (BETTIAH)

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Md. Afroj Alam, Son of Md. Safiullah, Resident of Village- Tejpurwa, P.S.-
Madhaudha, District- Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. Rehana Khatoon, Daughter of Late Sharif Miya, aged about 30 years,
Wife of Afroj Alam, Resident of Arya Samaj Mandir Road/Ward No.13,
Narkatiyaganj, P.S.- Sikharpur, District- West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 75-C of 2017 in which cognizance has
been taken for the offence punishable under Sections 498A of
the Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

It is submitted by the learned counsel for the



petitioner that there is no truth behind the allegation of subjecting the complainant to cruelty for non-fulfilment of demand of dowry. He submitted that genesis of the institution of the present case is matrimonial discord and incompatibility.

On the other hand, learned counsel for the complainant submitted that since the date of marriage, the petitioner committed several atrocities upon the complainant and lastly he has deserted his wife and the children.

Regard being had to the nature of allegation, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., West Champaran, Bettiah in connection with Complaint Case No. 75-C of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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