

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6322 of 2019

Arising Out of PS. Case No.-1093 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Muzzafar Hussain, S/o Late Tukru, Resident of Village-Taj Khand, P.S.-
Azam Nagar, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajmera Khatton Muzzafar Hussain, Daughter of Amruil, Resident of
Village-Kusida, P.S.- Harishchandrapur, District- Malda (West Bengal).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 23-07-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1093 of 2018, disclosing

offences under Sections 498A and 406 of the Indian Penal Code.

Case is under Section 498-A of the IPC with the

allegation of demand of Rs.2,00,000/- and for that, assaulted the

informant-complainant and ousted her from the house.

On appearance of the opposite party no. 2, the matter

was referred to the District Mediation Center, Katihar, vide

order dated 16.05.2019. The report of Mediator is available on

record at Flag “S” which disclosed that though the opposite

party no.2 has appeared on both dates but the petitioner failed to

appear on the last date and as such, due to non-cooperation of



the petitioner, the mediation failed.

However, learned counsel for the petitioner has submitted that he is still ready to keep her with dignity and care.

Learned counsel for the opposite party no.2 shows some apprehension but still she wants to live with the petitioner, if she is allowed to live with dignity and care.

Having heard both sides, considering the above facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below on 02.08.2019 and on that day, the opposite party no.2 shall also remain present in the Court. Further on filing an affidavit by the petitioner that he is ready to keep her with dignity and care and ready to take her from the court itself, petitioner shall be released on provisional bail for a period of 09 months. During that period, both the parties shall appear before the learned court below in the third week of each month so that the court will watch their marital relationship and conduct of both the parties. Once being satisfied with the conduct of both the parties, especially the conduct of the petitioner, he will consider about confirming the bail bonds of the petitioner, otherwise, he is free to pass any order which may deem fit and proper, including cancelling the bail bonds of the petitioner.



With the aforesaid observations, this application is
disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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