

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13384 of 2019

Arising Out of PS. Case No.-301 Year-2016 Thana- MAHILA P.S. District- Bhojpur

MD. GULAM SARWAR, aged about 24 years, Male, Son of Md. Kazim,
Resident of Village - Simari, P.S.- Simari, District- Buxar

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Adv.

For the Opposite Party : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

9 05-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Mahila P.S. Case No. 301 of 2016 for the offences alleged under
Sections 341, 323, 498A, 379, 504 and 34 of the Indian Penal
Code and 3 and 4 of the Dowry Prohibition Act.

The accusation is of torturing of the informant by her
husband and in-laws due to non-fulfillment of demand of rupees
five lakhs, fridge, washing machine, cooler, LCD television,
furniture etc. and removing her from matrimonial house.

Learned counsel appearing for the petitioner submits
that in fact the petitioner, who is the husband of the informant,
has filed Matrimonial Case No. 196 of 2016 in the Court of the
Principal Judge, Family Court, Buxar, for restitution of conjugal
life in which the informant appeared, but, denied to accompany



with petitioner making allegation that earlier the behaviour of petitioner was not good. Further, submission is that in spite of notice informant/opposite party no. 2 has not turned up.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Mahila P.S. Case No. 301 of 2016 shall be released on pre-arrest 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 Subdivisional Judicial Magistrate, Bhojpur at Ara, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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