

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.16501 of 2019

Arising Out of PS. Case No.-374 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

MD. ASLAM MANSURI @ ASLAM MANSUR, aged about 26 years, Male,
Son of Gulame Mustafa, Resident of Village- Parsa Khurd, Ward No.6, P.S.-
Kanhauli, District- Sitamarhi ... Petitioner

Versus

1. State of Bihar
2. Ruwaisa Khatoon, aged about 21 years, Female, Wife of Md. Aslam Mansuri @ Aslam Mansur, D/o Late Noor Mohammad, At present Resident of Ramban- 5, Garaita Nagar, P.S.- Malanwa, District- Sarlahi (Nepal)
... Opposite Parties

Appearance :

For the Petitioner : Mr. Shankar Kumar, Adv.
For the State : Mr. Ajay Kumar Jha, APP
For OP No. 2 : Mr. Anil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioner, learned counsel for complainant/opposite party no. 2 and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Complaint Case No. C-1/374 of 2018 for the offences alleged under Sections 498A and 379 of the Indian Penal Code.

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

Learned counsel appearing for the petitioner submits that admittedly the petitioner is the husband of opposite party no. 2 and he is still ready to keep his wife, who is complainant/opposite party no. 2, with full dignity, but, mediation could not succeed due to unwillingness of



complainant/opposite party no. 2.

On the other hand, learned counsel appearing for opposite party no. 2 submits that petitioner has already performed re-marriage.

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 Complaint Case No. C-1/374 of 2018 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, Sadar, Sitamarhi, 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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