

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14129 of 2019

Arising Out of PS. Case No.-733 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

MD. NAYEEM, Son of Md. Mustakim, Resident of Village - Dhaka Punari
Bazar, Islampur Tola, P.S.- Dhaka, District - East Champaran

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Afreena Praveen, Wife of Md. Nayeem, Resident of Village - Sugauli
Nawadih, Ward No.3, P.S.- Sugauli, District - East Champaran

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 10-07-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. C733 of 2018, corresponding to Trial No. 2290 of 2018, instituted for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Complaint petition disclosed that petitioner with respect to demand of Rs.2 lac assaulted the complainant and ousted her from the house.

Submission of learned counsel for the petitioner is that petitioner is still ready to keep the opposite party No.2 but she is not ready to reside with the petitioner, which will appear from the complaint petition itself as she has made allegation that petitioner is impotent and suffering from nerve disease and moreover there is no



specific allegation against the petitioner.

Heard learned APP also.

In this case notice was issued to opposite party No.2 and office note disclosed that she has received the notice personally and on the last date, i.e., on 26.6.2019 none had appeared on her behalf and in the interest of justice the matter was directed to be listed today to enable opposite party No.2 to appear but none has appeared on behalf of opposite party No.2.

In view of above facts and circumstances, let petitioner, in the event of arrest or surrender before the court below within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sadar Motihari, East Champaran, in connection with Trial No. 2290 of 2018, arising out of Complaint Case No. C733 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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