

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16395 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Afroz Osta, Aged about 24 years, Male, Son of Rahmatullah Osta @ Lal Mohammad @ Rahmatullah, Resident of Village-Dhaka Ramchandra, P.S.- Dhaka, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gufrana Begam, Aged about 23 years, Female, Wife of Afroz Osta, Daughter of Nurain Osta, Resident of Village-Ramchandra Dhaka, P.S.- Dhaka, District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-03-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.179 of 2018 for the offences allegedly committed by the petitioner under Section 498A of the Indian Penal Code as well as under Sections 3 and 4 of the Dowry Prohibition Act.

The complainant alleged that she was married to the petitioner five years ago but after many years, she was taken to her husband's house after executing an agreement to keep her properly by her husband. She further disclosed that on 10.03.2018, she was assaulted and she was driven out from the house after snatching her belongings.

Learned counsel for the petitioner submits that the petitioner is ready to keep his wife.



Learned counsel for the complainant also submits that the complainant is ready to live with her husband.

Taking into consideration the willingness of the husband and wife to restore their conjugal relations, the petitioner is directed to surrender in the court below within four weeks from the date of receipt of this order and on such, the learned court below shall enlarge the petitioner on provisional bail for four months from the date of his release on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Sikarhana, East Champaran at Motihari in connection with Complaint Case No.179 of 2018. Thereafter the learned court below shall make all efforts to resolve the disputes between the husband and wife and if the petitioner keeps his wife properly, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly, inspite of good behaviour of the wife, the learned court below shall pass order on the provisional bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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