

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27013 of 2019

Arising Out of PS. Case No.-2403 Year-2016 Thana- SARAN COMPLAINT CASE District-
Saran

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NAIMUDIN @ MOHAMMED NAIMUDIN S/o Late Kalamudin Miya R/o
village- Suksena, P.S.- Jalalpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harsh Anuj
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Trial No. 2253 of 2018 arising out of Complaint Case
No.2403 of 2016 for the offences punishable under Sections
498(A)/34, 341,323, 379 of the Indian Penal Code and Section
3/ 4 of the D.P. Act.

The petitioner happens to be the husband of the
complainant. He is said to have demanded the dowry from the
complainant and tormented the complainant over the said
demand and finally drove her out from marital house along with
his family members.

Learned counsel for the petitioner submitted that no



such occurrence as alleged ever took place. The marriage was solemnized in the year 2007. Petitioner is said to have tormented the deceased over dowry demand even after three days of the marriage but complaint petition was filed in the year 2016 i.e. after the nine years of the marriage. Had the petitioner made any demand and pestered the complainant she would have filed the complaint against him earlier. Complainant herself left her marital house and despite persuasion she did not regress and now she has passed away living in her maternal house.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran at Chapra, in connection with Trial No. 2641 of 2017 arising out of Complaint Case No.2403 of 2016, and enquiry case no. 360 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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