

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26016 of 2019

Arising Out of PS. Case No.-391 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

MD. AZAD Son of Md. Manjur Resident of Village - Pura, P.S.- Hathauri,
Distt.- Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Momina Khatoon W/o Md. Azad , D/o Md. Tasleem Resident of Village -
Partapur, P.S.- Kalyanpur, Distt.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhubneshwar Prasad
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.391 of 2017 , registered for offences punishable under Sections 323, 342, 498(A), 379, 504 of the Indian Penal Code.

Allegation against the petitioner is that as the complainant has given birth to two female child, the petitioner and his family members started demanding Rs.01 lac for opening fixed deposit in their name and for that she was assaulted.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and he is ready to keep her with dignity and care.

Heard learned A.P.P. , and the learned counsel for



O.P.no.2, she is also ready to reside with the petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below on 12.7.2019 and on that day, O.P.no.2 shall also remain present in the court below and further on filing of an affidavit by the petitioner that he is ready to keep her with dignity and care and take her from the court itself, the petitioner shall be released on provisional bail in connection with Complaint Case No.391 of 2017 for a period of six months and during that period, the conduct and matrimonial relationship of both the parties shall be watched and once being satisfied with the conduct of both the parties especially the conduct of the petitioner, the learned court below shall consider about the confirmation of the bail bond of the petitioner, otherwise he is free to pass any other order or orders including cancellation of the bail bond of the petitioner.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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