

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28542 of 2019

Arising Out of PS. Case No.-42 Year-2017 Thana- MAHILA PS District- Khagaria

MD. MUSTAQUE Son of Late Md. Enul Resident of Village-Hajipur, P.S.
and District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rani Begam Wife of Md. Mustaque Resident of Village-Hajipur, P.S. and District-Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Khagaria Mahila P.S.Case No.42/2017 , registered for offences punishable under Sections 498(A) of the Indian Penal Code.

Allegation against the petitioner who happens to be husband of the informant is of demand of Rs.01 lac and also threatening her and finally ousting her from the house.

Submission of the learned counsel for the petitioner is that he is ready to keep her and the allegations are false and concocted and moreover there is no specific allegation either of demand or torture against the petitioner rather the same is



general and omnibus in nature.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Miss Simmi Kujur , J.M. Ist Class, Khagaria in connection with Khagaria Mahila P.S.Case No.42 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if the informant is ready to reside with the petitioner, he has to keep her with dignity and care.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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