

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29462 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- DARIYAPUR District- Saran

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SARTAJ ALI, Son of Kalamuddin Vill- Baharwa Gachchi, P.S. Nayagaon,
Dist- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulabsa Khatoon Wife of Imtiaz Hussain Resident of Village Harpur P.S.
Dariyapur Dist- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-05-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel appearing on
behalf of the State.

Petitioner is languishing in judicial custody since
12.03.2019 in connection with Dariyapur P.S. Case No. 385 of
2018 for offences punishable under Sections 341, 323, 498A, 34
of the Indian Penal Code.

The prosecution case as lodged by the informant is
that she is married to the petitioner three years back and has 1½



year old son but due to demand of dowry for one lakh, the informant is always assaulted by the petitioner and her in-laws and have also beaten her many times, as a result she is now living with her parents along with son.

Learned counsel for the petitioner submits that he had gone to his sasural for taking the informant but she refused and his in-laws have assaulted him for which Complaint Case No. 3400 of 2018 has been lodged against one Mujaibin Bibi. Learned counsel for the petitioner further submits that he is ready to take his wife, the informant with full honour and dignity.

Learned counsel for the informant submits that she is also willing to stay with the petitioner, her husband if he keeps her with full honour and dignity.

Considering the allegations and that both the petitioner and informant are agreeable to stay with each other, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Dariyapur, Saran in connection with Dariyapur P.S. Case No. 385 of 2018, subject to the condition that the learned court below while granting the



privilege of bail would take an undertaking on affidavit from the petitioner of keeping his wife with full dignity and honour and would not commit any assault on the informant in future failing which the bail bonds of the petitioner is liable to be cancelled.

(Nilu Agrawal, J)

devendra/priyanka

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