

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36577 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- JOKIHAT District- Araria

Awesh Alam, Son of Ekhlaque, Resident of Village - Duba, P.S.- Jokihat,
Distt - Araria.

... .. Petitioner

Versus

1. The State of Bihar
2. Gulkansha, D/o Md. Tohid Alam, Wife of Awesh Alam, Resident of Village -
Daulatpur, Ward No. 02, P.S.- Jokihat, Distt - Araria.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party No.2: Mr. Anil Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 16-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing for the opposite party no. 2.

The petitioner seeks pre-arrest bail in connection with
Jokihat P.S. Case No.77 of 2019 for the offences punishable
under Sections 341, 323, 307, 498A and 504 read with 34 of the
Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that there is no truth behind the allegation of
subjecting the informant to cruelty for non-fulfilment of dowry.
As a matter of fact, the FIR has been instituted on account of
matrimonial discord and incompatibility. The matter was sent
for mediation and the parties had amicably settled their dispute



and are living peacefully.

On the other hand, learned counsel appearing for the informant-opposite party no.2 submitted that it is true that after mediation the parties had amicably settled their dispute and were living peacefully for sometime. However, subsequently, the petitioner once again started subjecting the victim to cruelty for which an application has been filed before the court of jurisdictional Magistrate.

Be that as it may, considering the nature of allegation and the other attending circumstances, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No.77 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

