

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37975 of 2019

Arising Out of PS. Case No.-128 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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SHAKIL AHMAD Son of Azimul Haque Resident of Mohalla- Sheikh Tola,
Ward No.6 Ysufpur, Mohammadabad, P.S.- Mohammadabad, District-
Gajipur (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Amna Khatoon W/o Shakil Ahmad, D/o Zafar Ali Resident of Village-
Akbarpur Nimia Tikri, P.O. and P.S.- Rohtas, District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-09-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.128 of 2017 , registered for offences
punishable under Sections 498(A), 494, 323/34 of the Indian
Penal Code and Section 3/4 of the D.P.Act..

Allegation against the petitioner is of demand and
torture, who happens to be husband of the complainant and
the petitioner has solemnized second marriage.

Submission of the learned counsel for the petitioner is
that he is still ready to keep her with dignity and care and the
allegations are false and concocted. It has also been submitted
that though he has solemnized second marriage but the same
has been solemnized with the consent of the O.P.no.2.

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



O.P.no.2, who has opposed the prayer for bail on the ground that he has performed second marriage as such she is not 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 within a period of two weeks from the date of receipt of the order and on surrender he will 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 SDJM, Dehri On Sone (Rohtas) in connection with Complaint P.S.Case No.128 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and with further condition that if any maintenance case is filed in future and on personal service of notice, he has to co-operate in disposal of the maintenance case.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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