

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40014 of 2019

Arising Out of PS. Case No.-2009 Year-2018 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Md. Hasnain, Son of Md. Islam, Resident of Village - Harna, P.S. - Rauta,
District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Namuna Begam, Wife of Md. Hasnain, Resident of Village - Harna, P.S. -
Rauta, District - Purnea, presently residing at Jamiradanga, P.S. - Rauta,
District - Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-09-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 2009 of 2018, disclosing

offences under Section 498A of IPC.

Allegation against the petitioner, who happens to be
the husband of the complainant is of demand of one motorcycle
and cash as well as several other articles, due to non-fulfillment
of the said demand, she was assaulted and ousted from the
house.

Submission of the learned counsel for the petitioner is
that the whole allegation is false and concocted and he is still
ready to keep her with dignity and care. Moreover, there is no
specific allegation against the petitioner, rather the allegation is
general. Further submission is that complainant was called on



notice before the learned First Additional Sessions Judge, Purnea and she has refused to reside with the petitioner on the ground that she was subjected to cruelty.

In this case, notice was issued to the opposite party no.2 and the report of the process server, it appears that she has received the notice on 09.08.2019 but nobody appears on behalf of the opposite party no.2 nor the opposite party no.2 has appeared herself in the Court.

Having heard both sides, considering the above submissions, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M, Purnea, in connection with Complaint Case No. 2009 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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