

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42557 of 2019

Arising Out of PS. Case No.-89 Year-2018 Thana- COMPLAINT CASE District- Araria

Md. Naushad @ Naushad Son of Md. Khalil Resident of Village-Doria Bokra,
Line Chow, West Tola, P.S.-Simraha, District-Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Rabina Khatoon W/o Md. Naushad @ Naushad D/o Md. Jumman
Resident of Village-Bhagwanpur, Tola Belwari, P.S.-Jokihat, District-Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Complaint
Case No. 89C of 2018, registered for the offences punishable
under Section 498A of the Indian Penal Code and section 4 of
the Dowry Prohibition Act.

Earlier notice was issued to the opposite party no. 2 in
view of the order dated 10.07.2019. From the service report it
appears that notice has already been served upon opposite party
no. 2.

As per the complaint case, petitioner (Naushad) was
married with opposite party no. 2 (Bibi Rabina Khatoon) on



23.04.2016. It is further alleged that complainant was subjected to torture and cruelty on account of non-fulfillment of demand of dowry. The accused persons also tried to burn the complainant. They snatched her ornaments and ousted her from the matrimonial house.

It is submitted on behalf of the petitioner that petitioner is innocent and the entire allegation is false and fabricated. In fact, the complainant after marriage went to her matrimonial house and after Ruksadi she came to her parents house, but thereafter, she did not return to her matrimonial house, even after several efforts by the petitioner. Petitioner is ready to keep her (complainant) with full dignity and honour, but she does not want to live with the petitioner.

It appears that notices were served upon the opposite party no. 2 and in spite of that opposite party no. 2 has not appeared in this case.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 Sub-Divisional Judicial Magistrate,
Araria in connection with Complaint Case No. 89C of 2018,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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