

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45717 of 2019

Arising Out of Case No.-835 Year-2018 COMPLAINT CASE District- Kishanganj

MASABBAR ALAM @ MD. MASAUWAR ALAM Son of Md. Islamuddin
Resident of Village - Dhobiniya, P.S.- Paharkatta, Dist.- Kishanganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Angustari Begam W/o Masabbar Alam @ Md. Masauwar Alam, D/o Md. Afjal hussain Resident of Village - Dhobiniya, P.S.- Paharkatta, Dist.- Kishanganj, at Present resident of Village - Tengarmari, P.S.- and Dist.- Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Mr. B. N. Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-09-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 835C/ 2018 for the offences punishable under Section 498A of the IPC.

The complainant is the wife of petitioner. The complainant made allegation of demand of dowry and torture at the hands of the petitioner and her in-laws.

The learned counsel for the petitioner submits that true facts are that the complainant has got service and she is posted at a place situated near her parents' house. The complainant does not want to live with petitioner and she filed the complaint case only to put undue pressure on the petitioner



to get divorce.

The learned counsel for the complainant submits that complainant does not want to restore conjugal relation with the petitioner and live with him.

Taking into consideration the facts that complainant herself does not want to restore conjugal relation with the petitioner and she is not willing to live with the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate, Kishanganj in connection with Complaint case No. 835C/ 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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