

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50527 of 2019

Arising Out of PS. Case No.-948 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SHEIKH MONAF Son of Sheikh Reyazul Resident of Village - Brindaban,
P.S.- Sathi, District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nooresha Khatoon Wife of Sheikh Monaf, D/O - Sheikh Ejazul Resident of Village - Brindaban, P.S.-Sathi, District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Umesh Chandra Verma
For the Opposite Party/s :	Mr.Shaheen Begum
	Mr. S.D. Rai
	Mr. B.K. Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 26-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 948-C of 2017, disclosing the offence under Section 498-A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Petitioner is the husband of complainant-opposite party no. 2.

Learned counsel for the petitioner has submitted that it is evident from the complaint petition also that matrimonial discord between the two is the basic reason for filing the complaint case. Allegation of demand of dowry



has been denied.

Learned counsel appearing on behalf of complainant-opposite party no. 2, on the other hand, has vehemently opposes the prayer for anticipatory bail and has submitted that since the petitioner has solemnized second marriage and despite undertaking given by him to keep the complainant with full honour and dignity as his wife, he has failed to do so and for the said reason also this application deserves to be dismissed.

However, considering the nature of dispute giving rise to filing of complaint case, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned SDJM, West Champaran at Bettiah in Complaint Case No. 948-C of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on



his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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