

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51843 of 2019

Arising Out of PS. Case No.-1325 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. KAISH KHAN @ KAISH ALI KHAN Son of Amrullah Khan Resident of Village - Barari Harkesh, P.S.- Uchakagaon, Distt - Gopalganj.
 2. Amrullah Khan @ Amirullah Khan Son of Islam Khan Resident of Village - Barari Harkesh, P.S.- Uchakagaon, Distt - Gopalganj.
 3. Sabrun Nesha Wife of Amrullah Khan Resident of Village - Barari Harkesh, P.S.- Uchakagaon, Distt - Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Noor Saba Khatoon Wife of Kaish Khan Resident of Village - Barari Harkesh, P.S.- Uchakagaon, Distt - Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-11-2019 Petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. 1325 of 2018 instituted for the offence punishable under Section 498A of the Indian Penal Code.

Petitioners happen to be husband, father-in-law and mother-in-law of the complainant and allegation is of torturing the complainant with respect to demand.

Submission of learned counsel for the petitioners is that the allegation is false and concocted and marriage of the complainant was love marriage, as such there is no question of demanding dowry and complainant is not ready to reside with the petitioners and petitioners are ready to keep her with dignity and care.



Heard learned APP and learned counsel for opposite party No.2, who has submitted that petitioner No.1 has solemnized another marriage with another lady though he has no document in support of his contention, as such she is not ready to reside with the petitioners.

In view of above facts and circumstances, let petitioners, in the event of arrest or surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IX, Gopalganj, in connection with Complaint Case No. 1325 of 2018, corresponding to Trial No. 2101 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the court concerned and further condition that petitioner No.1 has to pay maintenance amount to the complainant as per order passed by learned Family Court in Maintenance Case No. 129 of 2018.

(Vinod Kumar Sinha, J)

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