

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62172 of 2018

Arising Out of PS. Case No.-163 Year-2018 Thana- AAJAM NAGAR District- Katihar

Md. Mohosin @ Md. Mosim Alam @ Md. Moshim, Son of Alauddin,
Resident of Village- Ghordah Mehedibari, Police Station- Azamnagar, O.P.-
Salmari, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sogina Khatun, Wife of Md. Mohosin, Daughter of Md. Quasim, Resident of
Village- Ghordah Mehedibari, Police Station- Azamnagar, at present Village-
Manihari, Pachhimtola, Police Station- Manihari, District- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-01-2019 Heard learned counsels for the petitioner and learned
APP for the State.

The petitioner, being the husband of the informant is languishing in custody since 03.06.2018 in a case registered for the offences punishable under Sections 323, 504, 498 (A), 494 and 34 of the Indian Penal Code and $\frac{3}{4}$ of the D.P. Act.

Prosecution case as per the written report of Sogina Khatoon submitted to S.H.O., Azamnagar P.S. is to the effect that the informant was married with the petitioner three



years prior to lodging of the case, but subsequently, due to non-fulfilment of further dowry demand, torture was inflicted upon her by the petitioner and other in-law family members. It is further alleged that the petitioner has performed second marriage.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep her as wife with full dignity and honour. It is further submitted that the petitioner has not performed second marriage. A statement to that effect has been made in paragraph no. 8 of the petition. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It appears that vide order dated 10.10.2018, notices were issued to O.P. No.2. Office note dated 02.01.2019 reflects that notices have been received by the O.P. No.2 but none is appearing on her behalf.

Considering the nature of accusation and the period under custody, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **A.C.J.M. VI, Katihar** in connection



with Azamnagar P.S. Case No. 163 of 2018 (G.R. No. 2818
of 2018).

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

U		T	
---	--	---	--

