

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59719 of 2019

Arising Out of PS. Case No.-2566 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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MD. TAHJIB ALAM @ MD. TAHJIB Son of Abdul Subhan Resident of
Village-Sabanpur, P.S.-Balrampur, District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Begum Khatoon Wife of Md. Tahjib Alam @ Md. Tahjib Daughter of Abdul Wahid Resident of Village-Talbari Satiyara Chararia, P.S-Baysi, District-Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-11-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.2566 of 2018 , registered for offences
punishable under Section 498(A)of the Indian Penal Code.

As per FIR, there is allegation against the petitioner, who
happens to be husband of the complainant of demand of
motorcycle and Rs.01 lac and for non-fulfillment of that,
subjected her to cruelty and ousted her.

Submission of the learned counsel for the petitioner is
that he is still ready to keep her and filed a matrimonial case
for restitution of the conjugal rights and there is no specific



allegation attributed against the petitioner.

Heard learned A.P.P. and the learned counsel for the O.P.no.2 who has also appeared by filing Vakalatnama but in spite of the repeated calls, nobody appears ..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM VI, Katihar in connection with Complaint Case No.2566 of 2018 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if the O.P.no.2 (complainant) is ready to reside with the petitioner, petitioner has to keep her with dignity and care..

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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