

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76526 of 2018**

Arising Out of PS. Case No.-106 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Md. Jiyaul Haque @ Md. Jiyaul @ Md. Jiyaul Hak Son of Md. Iliyas,
Resident of Village- Mohiuddinpur, PO- Naya Nagar, PS- Hasanpur, District-
Samastipur- 848208.

... .. Petitioner/s

Versus

1. and Anr
2. Najrana Khatoon @ Nazrana Khatoon, Wife of Md. Jiyaul Haque @ Md. Jiyaul, Resident of Village- Mohiuddinpur, PO- Naya Nagar, PS- Hasanpur, District- Samastipur- 848208. Presently Residing at- D/o- Md. Kalim, Village- Mohiuddinpur, PO- Naya Nagar, PS- Hasanpur, District- Samastipur- 848208.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Bihari Sinha
For the Opposite Party/s : Mr.Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 17-06-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.106 of 2016, Tr.No.1677 of 2018, registered for offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting the informant with respect to demand of Rs.50,000/- as well as abused and ousted her from the house.

Submission of the learned counsel for the petitioner is that as a matter of fact a love affair marriage was solemnized



and the petitioner was residing in the house of the complainant itself but as the complainant is not ready to reside with the petitioner in his house as such the dispute arose.

Heard learned A.P.P. and the learned counsel for the complainant. They have opposed the prayer for bail stating that even she apprehends that she will be assaulted at her *Sasural* as such she is not ready to reside at her *Sasural* and she is ready to reside with the petitioner outside.

It further appears that the matter was also referred to the Mediation Centre and the mediation has failed and the report submitted by the mediator is kept at flag 'C'.

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 court below within a period of six weeks from the date of receipt of order 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 SDJM, Rosera in connection with Complaint Case No.106 of 2016, Tr. No.1677 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.



With the aforesaid direction, this application is
allowed.

(Vinod Kumar Sinha, J)

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