

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65772 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Md. Ajmerul Hussain @ Md. Ajmarul Hussain, Son of Md. Mojaheed Hussain, Resident of - Udaipur, P.S.- Rosera, Distt - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mehnaz Khatoon, Wife of Md. Ajmarul Hussain, D/o Md. Yunus Alam, Resident of - Udaipur, P.S.- Rosera, Distt - Samastipur. Resident of South, Khodabandpur, P.S.- Khodabandpur, Distt- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-10-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 36C of 2019, disclosing offences under Sections 323, 504, 498A of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

As per F.I.R. there is allegation of demand of Rs.1,00,000/- and one Fridge and for that, ousted her from the house.

Submission of learned counsel for the petitioner is that the allegation is false and concocted. He is still ready to keep the opposite party no.2 with dignity and care. Further



submission is that he has also filed a case for judicial separation.

Heard learned APP as well as learned counsel for the opposite party no.2, who appeared suo moto and submitted that she has no objection in residing with the petitioner, if she is allowed to live with full dignity and care.

Having heard both sides, in view of the facts, as stated above, this application is disposed of with a direction to the petitioner to surrender before the learned court below by 13.11.2019, on that day, the opposite party no.2 shall also remain present in the Court. Once both the parties appeared, the petitioner will be released on provisional bail for a period of six months to the satisfaction of the learned court below. During that period, both the parties shall appear in the court in the 4th week of each month, so that the court below shall watch the conduct of both the parties. Once the learned court below is satisfied with the conduct of both the parties, especially the conduct of the petitioner, he will confirm the bail bonds of the petitioner, otherwise, he is free to pass any other order or orders, which may be deemed fit and proper, including cancelling the bail bonds of the petitioner.

It is also made clear that once both the parties are started residing together, it is expected that petitioner shall



withdraw the case for judicial separation.

Sunil Shukla/-

(Vinod Kumar Sinha, J)

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