

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4611 of 2019

Arising Out of Case No.716 Year-2017 KHAGARIA COMPALINT CASE District-
Khagaria

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Md. Shaklain S/o Md. Anwarul @ Bhola Resident of Village- Sahsi Tola
Dihulia, P.S. Alauli, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shakina Bano W/o Md. Shaklian , D/o Md. Shabi Alam Resident of Village-
Sahasi Tola Dihulia, P.S. Alaulit, District- Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-01-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 716 C/2017 registered under Section 307, 323, 379, 498A, 406, 504/34 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act but cognizance was taken only under Section 498A/34 of the IPC.

The learned counsel for the petitioner submits that petitioner is husband of the complainant. The marriage of the petitioner with complainant was solemnized in the year 2014 but the complainant left the house of petitioner with new born female child. The petitioner made all efforts to bring his wife but the complainant did not accompany her. The petitioner also



filed Matrimonial case No. 86 of 2017 for restitution of conjugal rights after filing of the complaint case but the complainant is not ready to live with petitioner.

Considering the facts that petitioner has already filed petition for restitution of conjugal rights and he is still ready to live with his wife, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub divisional Judicial Magistrate, Khagaria in connection with Complaint Case No. 716 C/2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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