

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59963 of 2019

Arising Out of PS. Case No.-473 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Shakila Khatoon W/o Md. Jabbar R/o village- Tousa, P.S.- Raj Nagar, District- Madhubani
 2. Md. Rizwan S/o Md. Jabbar R/o village- Tousa, P.S.- Raj Nagar, District- Madhubani

... .. Petitioners

Versus

1. The State of Bihar
2. Guria Khatun W/o Md. Rizwan R/o village- Tousa, P.S.- Raj Nagar, District- Madhubani

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Adv.
For the Opposite Party/s : Mr. Anish Chandra, AP
For the Opposite Party No.2 : Mr. Gagandeo Yadav, Adv

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

6 04-03-2020 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the complainant-opposite party no.2.

The petitioners seek pre-arrest bail in connection with C.R. Case No. 473 of 2018 (CIS)/473/2018(CR) registered under Section 498-A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

It is submitted by the learned counsel for the petitioners that there is no truth behind the allegation of subjecting the complainant to cruelty for non-fulfillment of demand of dowry. As a matter of fact, the complaint case has



been filed due to matrimonial discord and incompatibility. Petitioner no.2 is always willing to restore the matrimonial life with the complainant, but she is adamant not to live with him.

Learned counsel for the State and learned counsel for the complainant-opposite party no.2 have opposed the prayer for grant of pre-arrest bail to the petitioners.

Regard being had to the nature of allegation and the submissions advanced at the Bar, in the event of arrest or surrender before the court below, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Madhubani in connection with C.R. Case No. 473 of 2018 (CIS)/473/2018 (CR) subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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