

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74000 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- PIYAR District- Muzaffarpur

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Arun Kumar Mallik, Son of Late Bhola Mallik, Resident of Village-Ratwara,
Piar (Hatha O.P.), District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sapna Basfore, Wife of Arun Kumar Mallik, Resident of Solapara, Police
Station-Paltan Bazar, District-Kamrup, Assam.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Khatim Reza, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-01-2020 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Piar P.S. Case No.66 of 2019 for the offence punishable
under Sections 498A, 34 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is the husband of the lady (O.P. No.2) who has filed
the present case making allegation that the petitioner has
demanded dowry. The fact as per the submission of the
petitioner is that the lady herself is unwilling to live with him
and has deserted him. Learned counsel submits that the



petitioner is always ready and willing to live with the lady but she is unwilling to live with him and as such, it would be appropriate that notice be issued to her so as to clarify the matter.

Considering the aforementioned submissions made by the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Romi Kumari, Judicial Magistrate-1st Class, Muzaffarpur, in connection with Piar P.S. Case No.66 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is, however, made clear that if there is recurrence of any such incidence or untoward act which will cause prejudice or mental torture to the opposite party no.2, it shall be open to her to seek appropriate remedy in accordance with law, including cancellation of the present order of bail.

(Anjana Mishra, J)

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