

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.81357 of 2019

Arising Out of PS. Case No.-961 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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AURANGJEB MIAN, Son of Nasaruddin Mian, Resident of Village- Sirisiya,
P.S.- Bhairganj, District- West Champaran ... Petitioner
Versus

1. THE STATE OF BIHAR
 2. Noorjahan Khatoon, Wife of Anurangjeb Mian, D/o Jamdali Mian Resident
of Village- Bathwariya, P.S.- Bathwariya, District- West Champaran
... Opposite Parties
- =====

Appearance :

For the Petitioner : Mr. Vijay Kr. Singh No. 1, Adv.
For the Opposite Parties : Mr. Gauri Shankar Gupta, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 17-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state through video
conferencing.

The petitioner seeks pre-arrest bail in connection with
Tr. No. 3329 of 2019 arising out of Complaint Case No. 961 of
2018, registered under Sections 498A, 323, 312 and 313 of the
Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

The accusation is of torturing of complainant by her
husband and in-laws due to non-fulfillment of demand of dowry
and removing her from the matrimonial house snatching her
belonging in pregnant condition.

Submission is that in fact, complainant, who is wife of
the petitioner, is the nanad of the sister of the petitioner and in
course of visiting the house of his sister, the petitioner fell in
love with the complainant-opposite party no. 2 and, ultimately,
nikah was performed, hence, no question of demand of dowry



arise, due to misconception the complainant-opposite party no. 2 left the matrimonial house and lodged the present case. Further, submission is that instead of issuing notice by the Court opposite party no. 2 did not appear before this Court. More so, petitioner is still ready to keep his wife, complainant-opposite party no. 2.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Tr. No. 3329 of 2019 arising out of Complaint Case No. 961 of 2018 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, I, Bagaha, West Champaran, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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