

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49636 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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MD. SHAMIM Son of Late Abdul Ghafoor, Resident of Village - Jamsham,
P.S.- Pandaul, District - Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Rukhsana Khatoon Wife of Md. Shamim, Resident of Village - Jamsham,
P.S.- Pandaul, District - Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi

For the Opposite Party/s : Mr.Ram Anurag Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 02-11-2021 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

In this case, the petitioner apprehends his arrest in connection with C.R. No. 4(CIS) of 2019 registered for the offence punishable under section 498-A of the Indian Penal Code.

The complainant Rukhsana Khatoon made allegation that her marriage was solemnized with the petitioner in the year 1992. She was tortured for non-fulfillment of demand of dowry of a motor cycle and Rs.50,000/- cash and ultimately she was driven away from her matrimonial house, but due to intervention of the villagers she was rehabilitated in her



matrimonial house.

Learned counsel for the petitioner has submitted that this case has been filed after 30 years of the marriage due to some misunderstanding. The real fact is that the complainant is still residing peacefully in her matrimonial house.

Learned Additional Public Prosecutor has opposed the prayer for bail.

The office note dated 25.10.2021 reflects that the complainant, who is opposite party no.2 in this case, has personally received the notice, but she did not turn up.

Considering these facts and circumstance of the case, let the petitioner above named, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhubani in connection with C.R. No. 4(CIS) of 2019, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey , J)

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