

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81828 of 2019

Arising Out of Case No.-2413 Year-2016 SIWAN COMPLAINT CASE District- Siwan

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MOHAMMAD ALAM @ MAHAMMAD ALAM @ MD. ALAM @ TIPU
@ M. ALAM Son of Noor Alam Resident of Village- Madhopur, P.S.-
Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Najmin Tara @ Guddi Wife of Mohammad Alam @ Mahammad Alam @
Md. Alam @ Tipu, D/o Mahammad Yakub, Haidar Ali At present Resident
of Village- Slonepur, P.S.- Hussainganj, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-03-2021 Heard both sides.

The petitioner apprehends his arrest in Complaint case
No. 2413/2016 registered under Section 498A, 406, 323, 506,
34 of the IPC and u/s 3/4 of the Dowry Prohibition Act.

The complainant alleged that petitioner, being
husband, subjected her to all sorts of torture due to non
fulfillment of additional demand of dowry. It is further alleged
that petitioner committed cruelty, assaulted her, drove her out
from the house and snatched her belongings.

The learned counsel for the petitioner submits that
marriage was solemnized in the year 2013. The petitioner prior
to institution of the present Complaint case filed Divorce Case



No. 356 of 2016 on 02.11.2016 and when O.P. No.2 came to know about the institution of divorce case she filed the present Complaint case.

In spite of service of notice, O.P. No.2 has not appeared.

Having regard to the fact that prior to institution of the present case the petitioner filed divorce case against his wife and the matter was referred to Mediation Center by the learned court below but the matter could not be resolved, the petitioner, above named, in the event of his arrest/ surrender before the 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 his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Siwan in connection with Complaint case No. 2413/ 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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