

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6965 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Naimullah @ Namullah @ Naimullah Alam, S/O Kitab Dewan R/O Village-
Raxaul Hazma Tola, P.S.- Haraiya (Raxaul), Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabana Khatoon W/o Naimullah @ Namullah @ Naimullah Alam, D/o
Late Maksud Dewan R/o village- Raxaul Hazma Tola, P.S.- Haraiya
(Raxaul), Distt.- East Champaran. Presently R/o village- Siswa Bazar, P.S.-
Paharpur, Distt.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Binod Kumar No.3

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in a
case registered for the offences punishable under Sections 323, 342,
498-A, 504/ 34 of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

The learned counsel for the petitioner submits that in
pursuance of the order dated 23.08.2022, notices were issued upon
the opposite party no.2 and from perusal of the office report, it would
manifest that opposite party no.2 refused to acknowledge the copy of
the notice. It is next submitted that complainant is now residing with
the petitioner and the dispute between them has been resolved.



Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Trial No.2325 of 2021 arising out of Complaint Case No.C-175 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, in the event, if the complainant files an application before the learned trial Court bringing to its notice that the petitioner obtained bail by misleading this Court and she is not staying with him, nor the dispute has been resolved, then the learned trial Court after hearing the petitioner will pass order in accordance with law.

(Satyavrat Verma, J)

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