

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30602 of 2022**

Arising Out of PS. Case No.-2516 Year-2016 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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MASHOOD ALAM SON OF AINUL HAQUE R/O VILLAGE-  
GAHMABAD, P.S.- HARISHCHANDER, DISTRICT- MALDAH (WEST  
BENGAL)

... .. Petitioner/s

Versus

1. The State of Bihar
2. GULSANA KHATOON WIFE OF MASHOOD ALAM, D/O- MD.  
MATIUR RAHMAN R/O VILLAGE- JAMRA, RATANPUR, P.S.-  
AMDABAD, DISTRICT- KATIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raghvendra Kumar Singh  
For the Opposite Party/s : Mr. Umeshanand Pandit

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      15-11-2022                      Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

Learned counsel for the petitioner is directed to  
remove the defects, as pointed out by the office, within a period  
of four weeks. In the eventuality of non-removal of defects  
within undertaken period, the office will place the matter before  
the Bench.

Perused the office notes.

Notice was issued to opposite party no.2, which has  
been returned undelivered noting that address is incomplete.

The petitioner apprehends his arrest in a case



registered for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the D.P. Act.

Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. As a matter of fact, the petitioner is the husband of the complainant but the marriage of the complainant with the petitioner has already been dissolved with mutual consent, Annexure-2 to this application. It is further submitted that the complainant has already got married with one Md. Safiqul Islam and leading her marital life with him, Annexure-3 to this application. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with C.A. Case No. 2516 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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