

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.989 of 2021

Arising Out of PS. Case No.-244 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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AMEEN MIYA @ AMEEN MAIN @ AMIN MIYAN SON OF LATE
ISMAIL MIAN R/O VILLAGE- KHADDA, BANGALTOLA, P.S.-
NAUTAN, DISTRICT- WEST CHAMPARAN.

... .. Petitioner

Versus

1. The State of Bihar
2. RUKHSANA KHATOON WIFE OF AMEEN MIYA, D/O.-SAHID MIAY
R/O VILLAGE- KHADDA, BANGALTOLA, P.S.-NAUTAN, DISTRICT-
WEST CHAMPARAN,AT PRESENT RESIDING -CHANAYAN BANDH,
P.S.-MAJHOLIYA,DISTRICT-WEST CHAMPARAN.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Syed Mojibur Rahman

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

ORAL ORDER

4 10-05-2022 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner. None
appeared on behalf of the complainant.

The petitioner apprehends his arrest in connection
with Complaint Case No. 244 (C) of 2019, registered for the
offences punishable under Sections 498 A of the Indian Penal
Code and Section 4 of the D.P. Act.

The matter was referred to District Mediation Centre,
West Champaran, Bettiah.



The report of learned Mediator has been annexed as flag 'A', which shows that the mediation could not be successful.

As per allegation, the complainant was married to the petitioner 18 years prior to filing of the complaint petition. Two sons were born out of wedlock of the couple. After 10 years of the marriage she was maltreated by her husband. There is also an allegation of demand of rupees five lac as dowry.

Learned counsel for the petitioner has submitted that the complaint petition has been filed after 18 years of the marriage. The allegations therein are absurd. He has further submitted that the complainant is not ready to reside with the petitioner, as such, he has filed a case for restitution of conjugal rights. The complainant has also filed a case for maintenance in which the petitioner has appeared.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Complaint Case No. 244 (C) of



2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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