

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28216 of 2023

Arising Out of PS. Case No.-2817 Year-2015 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

=====

JAHUR ALAM son of Late Shaan Mohammad Village- Pararia Malikan
Dumariya Ghat Ps- Mohammadpur Dist- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. NASIMA KHATOON wife of Jahur Alam/ D/o- Sakur Mian R/o- Sher
Bakhraur Balua Tola Ps- Sidhwalia Dist- Gopalganj

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Akhileshwar Dayal

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 24-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

Let the defect(s), if any, be removed within a period
of four weeks from today.

This application is filed for grant of regular bail in
connection with Complaint Case No.(Reg. No.) 2817 of 2015,
Tr. No. 1814 of 2023 registered under section 498(A) and 406 of
I.P.C.

The prosecution story in short is that one Nasima
Khatoon was married Jahur Alam according to Muslim rites and
customs. At the time of marriage, her father have gifted her
furniture, utensils, clothes, fifty thousand cash and jewellery



worth Rs. Three lakh. Before bedai Jahur Alam demanded motorcycle which was not fulfilled by complainant. Due to non fulfillment of his demand, she was mentally and physically tortured.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the period of custody, this application for regular bail is allowed.

The Maintenance Case No. 39 of 2018 pending before the Principal Judge, Family Court, Gopalganj shall be disposed of within two months of the communication of this order.

The petitioner will abide by the order of the Maintenance Case No. 39 of 2018 and if he does not pay the maintenance as per the final order of the Principal Judge, Family Court, Gopalganj then the bail bonds of the petitioner shall be cancelled by the learned Magistrate.

In the Maintenance Case, the parties will file their affidavit in the light of the Judgement of the Hon'ble Supreme Court in the case of *Rajnish Vs Neha 2021 (2) SCC 324* and thereafter the maintenance case shall be decided.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate 1st Class, Gopalganj in connection with
Complaint Case No.(Reg. No.) 2817 of 2015, Tr. No. 1814 of
2023.

(Sandeep Kumar, J)

sunnykr/-

U			
---	--	--	--

