

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50944 of 2023

Arising Out of PS. Case No.-90 Year-2020 Thana- NATHNAGAR District- Bhagalpur

MD. NEMAT @ MD. NEMATULLAH S/O LATE MD. NEZAM @ NEZAM
@ NEZAMUDDIN R/O Shiv Kumari Pahar, P.S- Kahalgaon, Distt.-
Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Gulwan @ Gulshan W/o Md. Nemat @ Md. Nematullah, D/O Md. Quaiyum R/O Madni Nagar, Gali No. 3, Champa Nagar, Police Station- Nathnagar, Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Najmul Hodda
For the State	:	Mr.Jharkhandi Upadhyay
For the informant/O.P.No.2 :		Mr. Rajendra Prasad Sah

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 08-11-2023 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.2. This application, for grant of anticipatory bail, arises out of Nathnagar Police Station Case No. 90 of 2020, dated 09.02.2020, disclosing offences punishable under Sections 341/323/498-A/504/506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.3. There is matrimonial discord between the petitioner and the Opposite Party No. 2.4. Learned Counsel for the petitioner submits that the petitioner is ready and willing to keep the Opposite Party |
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No. 2-wife with full honour and dignity.

5. On the other hand, learned Counsel for the Opposite Party No. 2 also submits that the Opposite Party No. 2-wife is ready to live with the petitioner if the petitioner fetches her from her parental home.
6. On this, learned Counsel for the petitioner submits that he will take his wife to her matrimonial home from the learned District Court on the next date fixed in this case.
7. Accordingly, this application is allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 Additional Chief Judicial Magistrate-I, Bhagalpur, in connection with Nathnagar Police Station Case No. 90 of 2020, subject to the conditions (I) as laid down under Section 438 (2) of the Code of Criminal Procedure and (ii) the petitioner will furnish a joint affidavit, at the time of furnishing bail bonds, duly signed in by the Opposite Party No. 2, stating therein that the petitioner has taken the Opposite Party No. 2 to her matrimonial home and



the Opposite Party No. 2 is living in the matrimonial house with the petitioner happily.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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