

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52610 of 2023

Arising Out of PS. Case No.-234 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MD. ALAM @ MOHD. ALAM, Male, aged about 26 years, SON OF
NAUSHAD ALI, RESIDENT OF VILLAGE- SADHVAILI SAKHUWA
GHAT, WARD NO. 2, PS- KASBA, DIST- PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. FARZANA KHATOON, female, aged about 24 years, WIFE OF MD.
ALAM @ MOHD. ALAM, daughter of Md. Mainul Haque, RESIDENT
OF VILLAGE- SADHVAILI SAKHUWA GHAT, WARD NO. 3, PS-
KASBA, DIST- PURNEA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 13-12-2023 Heard Mr. Bipin Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Ram Anurag Singh, learned
APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 234 of 2022 registered for the
offence(s) punishable under Sections 498(A) of the Indian Penal
Code and Section 4 of the D.P.Act.

3. The present complaint petition has been filed by
the wife of the petitioner, who is the complainant. The matter
went before the Mediator of the Mediation and Conciliation
Centre, Patna High Court and the parties resolved amicably and



now it has been informed by opposite party no.2/complainant that petitioner is not taking her due care in terms of the agreement entered on 04.09.2023.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is ready to live along with the opposite party no.2 on the terms and conditions agreed between them.

5. Considering the nature of allegation made against the petitioner by his wife/opposite party no.2, as a result of strained matrimonial relationship and thereafter they have amicably settled the matrimonial dispute and parties are now ready to live together on the terms and conditions mentioned in the compromise petition 04.09.2023, the District Court is directed to summon the opposite party no.2/complainant and the petitioner and see whether the parties are living together and if no further complain/allegation is made by opposite party no.2 then in that case, the petitioner is directed to be released on pre-arrest bail in connection with Complaint Case No. 234 of 2022 pending in the Court of learned S.D.J.M., Purnea, on such terms and conditions as the court below deems it fit and proper under Section 438(2) of the Cr.P.C, ensuring that the petitioner will abide by the terms and conditions of the compromise.



6. In case of failure, the District Court is directed to proceed in accordance with law and this order will automatically lose its force.

7. With the aforesaid observation/direction, the bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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