

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59143 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- ABADPUR District- Katihar

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Gulam Murtuza Son of Chellu R/V- Naya Tola Abadpur, P.S. Abadpur, Dist-
Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tahera Khatoon Daughter of Md. Jahangir Alam Resident of Madargachhi
P.S- Abadpur, Dist- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

5 15-05-2023 Heard Mr. Ajit Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Pradeep Narain

Kumar, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Abadpur P.S. Case No. 109 of 2022 registered under
Sections 498(A), 323, 341 and 34 of the Indian Penal Code.

3. The F.I.R. has been lodged by the informant, who is
the wife of the petitioner, alleging that due to non-fulfillment of
demand of dowry, the informant was tortured and kicked out of
the matrimonial house.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is ready to live along with the
Opposite Party No.2 and he will keep her with full dignity and
honour and will also fulfill her physical as well as financial
requirement.



5. Learned counsel appearing on behalf of the Opposite Party No. 2 submits that Opposite Party No. 2 has no objection if the petitioner keeps her with full dignity and honour.

6. Considering the rival submissions made by the parties, it appears that both the parties have agreed to live together, the petitioner above named is directed to be released provisionally on pre-arrest bail for a period of one year on such terms and conditions as the court below may deem it fit and proper.

7. The Court below is directed to observe the conduct of the petitioner for a period of one year and if no complaint is made by the Opposite Party No. 2, the provisional bail granted to the petitioner shall be confirmed subjected to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The present bail application, accordingly, stands disposed of.

(Purnendu Singh, J)

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