

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60179 of 2023

Arising Out of PS. Case No.-2275 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MAZHAR ALAM @ MAJHAR ALAM S/O LATE MUSTAQUE R/O
VILLAGE- GAIRIYA, PS. AMOUR , DIST. PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. JUBBI BEGUM W/O MAZHAR ALAM, D/O ABDUL SALAM R/O
VILLAGE- BANGRA, PS. AMOUR, DIST. PURNEA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-05-2024 1. Heard learned counsel for the petitioner and

learned APP for the State along with learned counsel appearing

on behalf of the O.P. No. 2.

2. The learned counsels for the parties jointly

submitted that the case was referred for mediation, but then the

mediation proceeding failed.

3. The learned counsel for the petitioner submits that

petitioner is still willing to keep the O.P. No. 2 with honour and

dignity. It is further submitted that normal wear and tear of life

has been portrayed as an offence. It is further submitted that

petitioner has never given *Talaque* to the O.P. No. 2.

4. The learned counsel appearing on behalf of the O.P.



No. 2 submits that O.P. No. 2 is not willing to restitute her conjugal rights as she has been divorced by the petitioner, on which the learned counsel appearing on behalf of the petitioner asserts and submits that petitioner has not given *Talaque* to the O.P. No. 2, but then submits that it appears that the O.P. No. 2 for some personal reason is not willing to come back to the petitioner and thus is taking a frivolous plea that she has been divorced, when the petitioner has not divorced.

5. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 2275 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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