

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63282 of 2024

Arising Out of PS. Case No.-2306 Year-2022 Thana- COMPLAINT CASE District- Araria

Md. Nur Alam @ Md. Nure Aman S/o Late Sheikh Mohammad Resident Of
Village- Rampur Dakshin Ward No 07, P.S.- Forbesganj, District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikhat Parveen W/o Md. Nur Alam, D/o Atabul R/o vill - Rampur Uttar,
ward no. 7, P.S. - Forbesganj, District - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Complaint Case no. 2306C of 2022, registered under sections 323 and 498A of Indian Penal Code.

3. As per the prosecution case, the complainant states that she was married to the petitioner on 19.11.2013. At the time of marriage, various articles and gifts were given as mentioned in the complaint. The complainant states that soon after the marriage, the torture started which has led to lodging of the instant complaint case.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. The allegations levelled in the complaint are categorically denied. With respect to the contents of the order of the learned Court below, it is submitted that the petitioner is still ready to keep the complainant/wife with full honour and dignity, however, it is the complainant who is not ready to re-establish matrimonial relationship with him which would be evident from the order itself. So far as the petitioner entering into a second marriage is concerned, it is submitted that though the same is permissible within the personal law of the petitioner, the same is categorically denied. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the complaint, the complainant not being willing to live with the petitioner as it transpires from the order of the learned trial Court together with the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no. 2306C of 2022 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Judicial
Magistrate 1st Class, Araria.

(Partha Sarthy, J)

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