

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44347 of 2014

Arising Out of PS.Case No. -2217 Year- 2013 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Md. Sajid @ Sazid Khan Son of Md. Sabir Khan Resident of Village-
Balahiya, P.S.-Piar, District-Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar
2. Sama Firdauns Wife of Md. Sajid @ Sazid Khan, Presently residing
with her father Md. Manjur Khan Resident of Village-Mohammadpur
Koari, P.S.-Waini Tajpur, District-Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Abhay Shankar Singh

For the Opposite Parts : Mr. Ahmad Ali (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 11-05-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences under Section 498A of the Indian Penal
Code Section 3/4 of the Dowry Prohibition Act.

The basic accusation is torture for non-
fulfilment of dowry demand.

In pursuance to the order dated 16.12.2014
the petitioner and the complainant/O.P. No. 2 are present. The
petitioner is ready to keep the complainant with dignity and
honour but the offer is not acceptable to the complainant as
she is apprehensive due to the past conduct of the petitioner.

In the alternative, the petitioner is ready to
make payment of Rs. 1500/- to the complainant from July,

2015, by depositing the same in the bank account of the complainant by second week of every month. The aforesaid offer is acceptable to the complainant who undertakes to supply her bank account number within a period of four weeks by filing the same on affidavit before learned Court below.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Samastipur in connection with Complaint Case No. 2217 of 2013.

The aforesaid payments will be subject to any order being passed in matrimonial or maintenance, or related proceeding.

Three consecutive defaults in making payment will give liberty to the complainant to file appropriate application for cancellation of bail of the petitioner.

The present order in no way will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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