

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30711 of 2015

Arising Out of PS.Case No. -153 Year- 2014 Thana -PATRAKARNAGAR District- PATNA

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Afzal Ali Son of Late Md. Zaaruddin resident of Dentist Popular Denter
Care, Ashok Rajpath, P.S. Pirbahore, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Naima Ahmad @ Amria W/o Afzal Ali, D/o Mr. Nesar Ahmad R/o
House No. 152, 1st Floor, Doctors Colony, Kankarbagh, P.S.
Patrakarnagar, District - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjum Perveen
For the Opposite Party/s : Mr. Ajit Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

06/ 18-02-2016 Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 315, 454, 506, 448, 337,
498A, 406, 120B of the Indian Penal Code and 4 of Dowry
Prohibition Act and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand and getting the pregnancy
terminated.

It is submitted by learned counsel for the

petitioner that the petitioner admits his marriage with the informant and birth of a male child. It is further submitted that the petitioner that the present case was filed on 07.07.2014 when the petitioner claims to have divorced the informant as per Muslim rituals on 01.12.2013. Though, the petitioner is still ready to make payment of Rs. 4500/- per month from March, 2016 to the informant by depositing the same in her account by second week of every month.

Learned counsel for the informant submits that the informant denies the factum of divorce but is ready to accept the offer of monthly payment and undertakes to submit the bank account number on affidavit before the learned court below within a period of two weeks.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna in connection with Patrakar Nagar P.S. Case No. 153 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

Three consecutive defaults in making payment will give liberty to the informant to file 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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