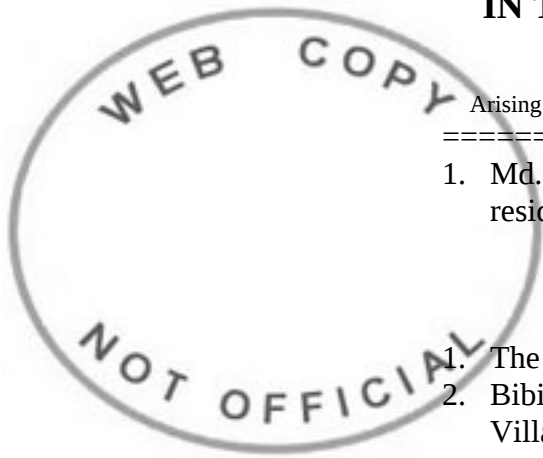




**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11980 of 2016**

Arising Out of PS.Case No. -2967 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA  
=====

1. Md. Parwez @ Md. Prawez @ Md. Prawez Alam S/o Late Md. Hatim  
resident of Village Khaira Gadia, P.S. Narpatganj, District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Bibi Shakina Praveen, D/o Md. Alam, W/o Md. Prawez, resident of  
Village- Siswa, P.S. Narpatganj, District- Araria.

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh  
For the Opposite Party/s : Mr. Aditya Nr. Singh1 (App)  
=====

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

3      26-07-2016                      The 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 punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant but petitioner has given Talaq to the complainant as per muslim rites and has filed Matrimonial Suit No. 121 of

2015 for the confirmation of Talaq.

It is further submitted that petitioner is ready to make payment of the maintenance amount of Rs. 2000/- passed in Maintenance Case No. 109 of 2014 vide order dated 08.09.2015 by the Principal Judge, Family Court, Araria.

It is submitted by learned counsel for the complainant that complainant disputes the factum of Talaq. Earlier also the petitioner has filed Matrimonial Suit No. 7 of 2014 which got dismissed. The complainant is ready to resume the conjugal life.

Considering the factum of Talaq in dispute and the present stand of the petitioner that he is ready to make payment of the maintenance amount including the arrears as directed by learned Principal Judge, Family Court, Araria in Maintenance Case No. 109 of 2014, 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, Araria in connection with Complaint Case No. 2967C of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioner will be accepted on filing proof with regard to the payment of the

maintenance amount including the arrears as directed by learned Principal Judge, Family Court, Araria in Maintenance Case No. 109 of 2014.

Shageer/-

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**(Dinesh Kumar Singh, J)**