

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13272 of 2019**

Arising Out of PS. Case No.-431 Year-2017 Thana- PATNA COMPLAINT CASE District-  
Patna

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TANVEER ALAM @ MD. TANVEER ALAM son of Md. Zafar Alam,  
Resident of Azam House, behind Ayub Urdu Girls School Lalbagh, P.O.-  
Mahendru, P.S.- Pirbahore, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Shabnam Hassan, Wife of Tanveer Alam, Daughter of Shamsul Hassan,  
At present Resident at New Azimabad Colony South West Corner of  
Sanichara Edigah, P.S.- Bahadurpur, District- Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Md. Aslam Ansari  
For the Opposite Party/s : Mr.Zainul Abedin

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

5      17-07-2019                      Heard learned counsels for the parties.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under section 498A of the IPC and Sections 3 and 4 of Dowry Prohibition Act.

The prosecution case as per the complaint petition is that the marriage of the complainant with the petitioner was performed on 14.11.2015 but subsequent to the marriage, further dowry demand of car was made and due to non-fulfillment of the same, torture was inflicted upon the complainant by the petitioner and other in-laws family members.

It is submitted by learned counsel for the petitioner



that the petitioner admits his marriage with the complainant and is ready to keep her as wife with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition which reads as follows:

“That the petitioner always gave due respect, regard to the complainant fulfilling all her requirement and he is willing and desirous of living and leading conjugal life with her as usual with undertaking to give full dignity and respect to her.”

On joint prayer of the parties, vide order dated 11.4.2019 the matter was referred to mediation. The report of the Mediator dated 19.6.2019 at Flag- B reflects that the issue could not be resolved through the process of mediation. However, it is jointly submitted that the petitioner and the complainant are ready to get the marriage dissolved on payment of one time settlement amount of Rupees Two Lacs by the petitioner within a period of six months in six monthly installments. The said amount will be given by the petitioner to the complainant by way of bank draft in favour of the complainant which will be submitted on affidavit before the learned SDJM, Patna City, which will be released in favour of the complainant. On deposit of the said amount, the



complainant will file appropriate application for withdrawal of Complaint Case No. 431 C of 2017.

Considering the present stand of the petitioner, let the petitioner above named be released on provisional anticipatory bail for six months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Patnacity in connection with Complaint Case No. 431 C of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

The provisional anticipatory bail of the petitioner will be confirmed by the learned court below on submission of draft of one time settlement amount of Rupees Two Lacs by the petitioner, the said draft will be released by the learned Court below in favour of the complainant on filing of the appropriate application before the appropriate forum for dissolution of marriage between the petitioner and the complainant.

**(Dinesh Kumar Singh, J)**

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