

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18134 of 2019**

Arising Out of PS. Case No.-524 Year-2018 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

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MD. MAHFOOZ ALAM Son of Mokhtar Alam Resident of Mohalla - 1A,  
Ekbalpur Lane, Hazi Ahmad Ali, Masjid Kadamtalla, P.S.- Ekwampur, District-  
Kolkata, Kolkata- 700023. (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saba Praween Wife of Md. Mahfooz Alam Resident of Mohalla - 1A,  
Ekbalpur Lane, Hazi Ahmad Ali, Masjid Ke Samne, (Kadamtalla), P.S.-  
Ekwampur, Kolkata- 700023.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Lalan Kumar  
For the Opposite Party/s : Mr.Pramod Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      26-06-2019                      This application, for grant of anticipatory bail,  
  
arises out of Complaint Case No. 524C of 2018, disclosing  
  
offences under Sections 323, 498A/34 of the Indian Penal Code.

Allegation against the petitioner is of demand of  
  
dowry and subjecting her to torture and ousting from the house.

Submission of learned counsel for the petitioner is  
  
that earlier matter was settled and declaration was made before  
  
the Notary Public in West Bengal, which was signed by the  
  
parties, in which, the petitioner agreed to give an amount of Rs.  
  
70,000/- to the complainant by 20.10.2018 but prior to that the  
  
present case has been filed by the complainant.



Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has not disputed the aforesaid fact, however, he has submitted that Stree Dhan is still dues but it appears that the same has already been paid to the complainant – opposite party no. 2.

Having heard both sides, considering the above facts, this application is disposed of with direction to the petitioner to surrender in the court below on 26.07.2019 along with a bank draft of Rs. 14,000/- duly drawn on favour of the complainant – opposite party no. 2, on which, the court below shall release the petitioner on provisional bail for a period of four months, during which, period the petitioner shall return the remaining amount of Rs. 56,000/- by way of four equal installments to be paid by the petitioner to the complainant in the first week of each month and once the entire amount is paid to the complainant, the court below shall confirm the provisional bail of the petitioner, otherwise, the court below will pass any order as he deems fit and proper including cancellation of provisional bail of the petitioner.

**(Vinod Kumar Sinha, J)**

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