

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19737 of 2019

Arising Out of PS. Case No.-648 Year-2016 Thana- COMPLAINT CASE District- Jamui

MD. SAGHEER @ GUDDU son of Md. Ansar @ Md. Ansar Ansari,
Resident of Village- Bajalpura, P.S.- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Khushbu Khatoon Wife of Md. Sagir @ Guddu, D/o Md. Kamaluddin Ansari, Resident of Village- Kaluadih, P.O. Dhadhoura, P.S.- Sikandra, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 31-07-2019 The petitioner apprehends his arrest in connection with Complaint Case No. 648C/2016 in which cognizance under Section 498A of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

Allegation against the petitioner, as per complaint, is that marriage of the complainant was solemnised with the petitioner on 19.04.2015 according to Muslim customs. It has further been alleged that after some time, petitioner along with other family members started torturing her mentally and physically for demand of Rs one lac as dowry.

Learned counsel appearing on behalf of the petitioner submits that O.P.No. 2 has taken divorce from the petitioner in a



Panchayat convened by her parents and has married with some other person.

Learned counsel for the O.P.No. 2, on the other hand, submits that petitioner, in his supplementary affidavit, has stated that he has given a sum of Rs. 1,51,000/- to the O.P.No. 2 towards *Mehar* and *Iddat*, but the same is not correct and a false statement has been made by the petitioner on affidavit.

However, learned counsel for the petitioner, upon instruction, has submitted that, without prejudice to the same, petitioner is ready to pay a sum of Rs. 50,000/- to O.P.No. 2 within a period of one month by way of bank draft in the name of O.P.No. 2.

The offer made by the petitioner has been accepted by learned counsel for the O.P.No. 2 and undertakes to withdraw the present case lodged against the petitioner.

In view of the aforesaid terms and conditions, let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned SDJM, Jamui in connection with Complaint Case No. 648C of 2016; subject to



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of surrender, petitioner shall have to attach photocopy of the bank draft prepared in the name of the O.P.No. 2 along with acknowledge receipt given by O.P.No. 2.

(Anil Kumar Sinha, J)

sujit/-

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