

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26349 of 2019

Arising Out of PS. Case No.-160 Year-2018 Thana- MAHILA P.S. District- Bhojpur

Md. Mansoor Alam, S/o Late Quddus Hashimi, R/o Mohalla- Abarpul Nichli
Kal, P.S.- Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 16-07-2019 This is an application for grant of anticipatory bail in connection with Mahila P.S. Case No. 160 of 2018, disclosing offences under Sections 498A, 379, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is that after the marriage he started demanding Rs.1,00,000/- and a motorcycle, due to non-fulfillment of said demand, assaulted her physically and mentally. A daughter was also born from the said wedlock, but they were adamant for fulfillment of the said demand and petitioner has solemnized the second marriage with another girl.

Submission of learned counsel for the petitioner is that so far as, order of Sessions Judge itself shows that there is no chance of reconciliation between the parties and thus the petitioner is ready for one time settlement.

Learned counsel for the opposite party no.2 has also



appeared and opposed the prayer for anticipatory bail on that ground that petitioner has come with claims that he is ready to keep her with dignity and care. Moreover, up till now, not a single penny has been paid by the petitioner to the opposite party no.2 for herself or for her daughter.

Having heard both sides, in view of the facts and circumstances, as stated above, provisional bail granted to the petitioner, vide order dated 23.04.2019 by a Co-ordinate Bench of this Court, is confirmed with the condition that he will pay Rs.4000/- per month as maintenance for herself and for her daughter for a period of one year. During that period, it is expected that opposite party no.2 shall file a case for maintenance and the petitioner shall co-operate in disposal of the same and he will be abide by by the order of learned Family Court either interim or final.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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