

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28835 of 2019

Arising Out of PS. Case No.-1859 Year-2017 Thana- SARAN COMPLAINT CASE District-
Saran

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ARMAN ALI Son of Md. Badruzama, Resident of Village - Kamta, P.S.-
Baiyapur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Isma Khatoon Wife of Arman Ali, D/o Late Chirag Alam Resident of Village
- Hukrahan, P.s.- Dariyapur, Distt.- Saran at Chapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan
For the Opposite Party/s : Mrs.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 10-12-2019 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The allegation is regarding the petitioner, who happens to be the husband of the Opposite Party No. 2 and other family members having tortured the Opposite Party No. 2 on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner has submitted that though the matter was sent to the Patna High Court, Mediation and Conciliation Centre, however, the mediation has failed.

The learned counsel for the petitioner has further submitted that the petitioner is innocent and is already



maintaining three children who have been born out of the wedlock and one of the child is not normal. It is further submitted that without going into the merits of the case, the petitioner is ready and willing to pay a sum of Rs. 3,000/- per month to the Opposite Party No. 2 by way of maintenance till the time an appropriate order is passed by the learned court below/the learned Family Court.

The learned counsel for the Opposite Party No. 2 submits that it be ensured that the petitioner regularly pays the aforesaid maintenance amount of a sum of Rs. 3,000/- per month.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct for release of the petitioner on anticipatory bail upon surrendering before the learned court of A.C.J.M.-IV, Chapra at Saran in connection with Trial No. 1593 of 2019 arising out of Complaint Case No. 1859 of 2017, subject to the petitioner submitting an undertaking to the effect that he would regularly pay a sum of Rs. 3,000/- by means of a demand draft in favour of the Opposite Party No. 2, every month, by sending the same through registered post with A.D. on the residential address of the Opposite Party No. 2 and in the event of failure to do so,



the privilege of anticipatory bail shall stand cancelled automatically. It is further clarified that upon such undertaking, as aforesaid, being furnished by the petitioner, the learned trial court shall grant anticipatory bail to the petitioner subject to such conditions as it may deem fit and proper to impose. It is also clarified that the aforesaid amount of maintenance shall be paid to the Opposite Party No. 2 by the petitioner herein till appropriate orders are passed by the learned court below/ the learned Family Court.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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