

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34446 of 2019

Arising Out of PS. Case No.-253 Year-2018 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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MUSHTAQUE AHMAD SIDDIQUI Son of Jamil Ahmad Siddiqui Resident
of Village- Kokadha, P.S.- Sakatpur, District- Darbhanga (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabana Perveen Wife of Mushtaque Ahmad Siddiqui Daughter of Late
Masrur Alam, Presently Residing at C/o of Nasima Khatoon, Village-
Mirzapur, P.S.- Ali Nagar, District- Darbhanga (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-10-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection
with Complaint Case No.253 of 2018 registered for offences
punishable under Section 498(A) of the Indian Penal Code and
Section 3 of the Dowry Prohibition Act.

As per the complaint petition, allegation against the
petitioner is that after kidnapping in a hotel he made physical
relationship with the complainant, married with the complainant
and thereafter started demanding of Rs.02 lac and for that
assaulted and ousted her . After appearance of the O.P.no.2 the
matter was referred to the mediation centre and the meditation
report at flag 'M' discloses that despite efforts the parties could



not settle the dispute.

Submission of the learned counsel for the petitioner is that demand for one settlement is exorbitant as she has demanded Rs.40 lac and he is headmaster in the government school. Further he admits that this is his second marriage with the complainant. Petitioner is ready to keep her with dignity and care.

On the other hand the learned counsel for the O.P.no.2 has submitted that her life was ruined by this petitioner and she is only demanding Rs.40 lac as one time settlement and the petitioner is working as Headmaster in the government school. She has also filed a maintenance case before the Principal Judge, Family Court, Darbhanga in which petitioner has not appeared.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of on condition that the petitioner has to pay Rs.7,000/- (seven thousand) per month to the O.P.no.2 till any interim or final order is passed in the maintenance case filed before the Principal Judge, Family Court, Darbhanga in which the petitioner undertakes to appear very soon, earlier order granting



provisional bail to the petitioner vide order dated 17.8.2019 shall be confirmed.

In the meantime, if the petitioner fails to pay the amount to the O.P.no.2 continuously for three months, O.P.no.2 is at liberty to move for cancellation of the bail bond of the petitioner before the court below.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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