

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31996 of 2019

Arising Out of PS. Case No.-134 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Hussain Dewan, Son of Abdul Rahim Dewan Resident of Village - Kalwari
majhariya, P.S.- Adapur, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rubi Khatoon, W/o Hussain Dewan, D/o of Imam Dewan Resident of
Village - Kalwari majhariya, P.S.- Adapur, Dist.- East Champaran. At
Present residing at Narir Gir, P.S.- Ramgarhwa, Dist.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, Advocate
For the Opposite Party No.2 : Mr. Nishi Nath Ojha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 21-10-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Complaint Case No.C-134/2018, Tr. No.2677 of 2018, in which
cognizance under Sections 323, 498(A) of I.P.C. and Section 3/4
of Dowry Prohibition Act has been taken.

The matter was referred for Mediation, however,
Mediation between the parties has failed. The marriage of the
petitioner with Opposite Party No.2 was solemnized in the year
2015 and out of wedlock one girl child has born.

Without going into the rights and contentions, the



learned counsel for the petitioner upon instruction submits that the petitioner is ready to pay a sum of Rs.3,000/- per month to the Opposite Party No.2, subject to final outcome of any matrimonial or maintenance case filed by the parties.

The offer made by learned counsel for the petitioner is accepted by learned counsel appearing for Opposite Party No.2.

In view of the aforesaid, let the petitioner be released on anticipatory bail, subject to the condition that petitioner will be paying a sum of Rs.3000/- per month in the bank account of the Opposite party No.2, the account number of which shall be provided by learned counsel for Opposite Party No.2 to learned counsel for the petitioner within ten days. The said amount must be deposited in the bank account of Opposite party No.2 starting from November, 2019 and must also be deposited in each and every month by 10th day of every month.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, Distt.-



East Champaran, subject to the condition as mentioned
aforesaid.

In case petitioner deviates from the promises and
terms and conditions of the bail, the Opposite Party No.2 shall
be at liberty to move an appropriate application before an
appropriate Court of law.

(Anil Kumar Sinha, J)

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