

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36034 of 2019**

Arising Out of PS. Case No.-147 Year-2018 Thana- KHANPURA District- Samastipur

MD. MASOOM ALI @ MD. MASUM ALI Son of Roushan Ali @
Md.Raushan Ali Resident of Village - Siropatti, P.S.- Khanpur, District-
Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Noorjahan Khatoon Wife of Md.Masum Ali Resident of -Siropatti, P.S-
Khanpur,Distt-Samastipur,Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra
For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 27-09-2019 The petitioner apprehends his arrest in connection with

Khanpur P. S. Case No. 147 of 2018 registered under Sections

498A and other allied sections of the penal code and Sections 3

and 4 of the Dowry Prohibition Act.

Allegation against the petitioner is that petitioner along
with other family members demanded dowry from the informant
and her family members and due to non-fulfillment of the same,
all family members of the petitioner assaulted her and ousted
her from her matrimonial home.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has falsely been implicated in this case
inasmuch as at the time of alleged occurrence, petitioner was in
Dubai. However, without prejudice to the rights and
contentions, the petitioner is ready to pay a sum of Rs. 5,000/-



per month as living cost to the O.P.No. 2, subject to final outcome of any matrimonial case filed between the parties.

The offer made by the petitioner has been accepted by the learned counsel for the O.P.No. 2.

In view of the aforesaid, let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four 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, Samastipur in connection with Khanpur P.S.Case No. 147 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that petitioner will be paying a sum of Rs. 5000/- per month regularly in the bank account of the O.P.No. 2, number of which will be provided by the learned counsel for the O.P.No. 2 to the learned counsel for the petitioner by 30.09.2019.

It is made clear that amount of Rs. 5000/- shall be deposited by the petitioner in the account of the O.P.No. 2 positively by 7th day of every month and the same shall be subject to final outcome of the maintenance case or matrimonial case filed by the parties.



It is also made clear that at the time of surrender, the petitioner will furnish the proof of making payment for the month of October, 2019 along with the surrender-cum-bail application.

It is clarified that in case, the petitioner deviates from his undertaking and does not pay Rs. 5000/- per month regularly in the account of the O.P.No. 2, she will have liberty to move appropriate application before appropriate forum in accordance with law.

(Anil Kumar Sinha, J)

sujit/-

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