

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31147 of 2019**

Arising Out of PS. Case No.-374 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

=====

MD. NASIM @ MD.NASIM ALI Son of Md. Ali Hussain Resident of Village
- Sikarhatta Khurd, P.S.- Sikarhatta Khurd, Distt - Bhojpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shabnam Khatoon Wife of Md. Nasim and D/o Kurban Ansari Resident of
Village - Kochas, P.S.- Kochas, Distt - Rohtas.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

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

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 27-09-2019 This application, for grant of anticipatory bail, arises out
of Complaint Case No. 374 of 2018, disclosing offences under
Sections 498A of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

Petitioner happens to be husband of the complainant and
allegation against him is of subjecting the complainant to torture with
respect to demand of Maruti Car and Rs. Five Lakhs as dowry and on
non fulfillment of the said demand, she was subjected to torture and
cruelty and was driven out from the matrimonial house.

It appears that on appearance of opposite party no. 2, the
matter was referred to Mediation Centre and from the report of
Mediator, it appears that opposite party no. 2 did not choose to
appear in mediation.



Submission of learned counsel for the petitioner is that he is ready to keep the complainant with full honour and dignity and the allegation levelled by the complainant is false and concocted.

Heard learned A.P.P. also.

Nobody appears on behalf of the opposite party no. 2 and from perusal of the complaint petition, it appears that she has stated that she has filed the case for residing with the petitioner.

In such view of the matter, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Rohtas at Sasaram, in connection with Complaint Case No. 374 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further subject to the condition that if the complainant comes to reside with the petitioner, petitioner has to keep her with full honour and dignity, otherwise his bail bond will be cancelled.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

