

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34937 of 2019**

Arising Out of PS. Case No.-1089 Year-2018 Thana- BEGUSARAI COMPLAINT CASE  
District- Begusarai

MD. EQBAL Son of Mohammad Manjur ALAM resident of Village-  
Singhaul, Police Station- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar  
For the Opposite Party/s : Mr.Shyam Kumar Singh

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

3      23-08-2019                      This application, for grant of anticipatory bail,  
  
arises out of Complain Case No. 1089C of 2018, disclosing  
  
offences under Sections 498A of the Indian Penal Code.

Petitioner happens to be husband of the complainant  
  
and allegation against him is of subjecting the complainant to  
  
torture for non fulfilment of demand of dowry.

It appears that earlier the matter was referred to Patna  
  
High Court Mediation and Conciliation Center, however, the  
  
report of learned Mediator disclosed that the mediation between  
  
the parties failed.

Submission of learned counsel for the petitioner it  
  
that the petitioner is ready to keep her with full honour and  
  
dignity and it is the complainant who refused to live with the



petitioner in mediation proceeding on the ground of cruelty and the matter could not be settled with respect to the return of ornaments. However, the petitioner is ready to maintain her.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has submitted that the complainant has been divorced by the petitioner, as such, she desires for one time settlement of the matter.

Having heard both sides, considering the facts and circumstances this application is disposed of with direction to the petitioner to surrender in the court below on 06.09.2019 and on condition that he is ready to pay Rs. 2500 to the complainant towards her maintenance for a period of one year, during which period, complainant, if so desire may move before the appropriate court for grant of maintenance or any other remedy, on which, the court below shall release the petitioner 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, Begusarai, in connection with Complain Case No. 1089C of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if the petitioner fails to pay Rs.



2500 to the complainant for three consecutive months,  
complainant will be at liberty to move the court below for  
cancellation of his bail bond.

**(Vinod Kumar Sinha, J)**

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