

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37853 of 2019**

Arising Out of PS. Case No.-2508 Year-2017 Thana- COMPLAINT CASE District- Araria

Md. Ekram @ Akram, Son of Md. Ekbal, Resident of Village-Bauriya, P.S.-  
Jokihat, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Gulista, W/o Md. Ekram, D/o Md. Eklim, Resident of Village-Farsadangi, Ward No.3, P.S.-Jokihat, District-Araria.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhijeet Gautam  
For the Opposite Party/s : Mr. Md. Shakir Ahmad

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

5      18-11-2019                      This is an application for grant of anticipatory bail in connection with Complaint Case No. 2508-C of 2017, disclosing offences under Section 498A of IPC and Section 4 of Dowry Prohibition Act.

As per complaint case, petitioner is said to be the husband of the complainant and there is allegation of demand of Rs.20 lacs and for that, assaulting her and ousting her from the house.

Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care, but the opposite party no.2 is not ready to live with him.

Heard learned A.P.P. as well as learned counsel for the



opposite party no.2 also, who has submitted that he has solemnized the marriage with another lady and in such situation, it is not possible to live with the petitioner. He is not even maintaining her. However, he has admitted that he has not filed any maintenance case up till now.

Having heard both sides, in view of the facts and circumstances, as stated above, this application is disposed of on condition that if the petitioner is ready to pay Rs.3000/- per month to the complainant for a period of one year or till she married with another person and during that period, it is expected that the opposite party no.2/complainant shall approach before the Family Court for grant of maintenance, in which, on personal service of notice to the petitioner, he has to co-operate in disposal, on the above, the provisional bail granted to the petitioner, vide order dated 21.06.2019 shall be confirmed.

Accordingly, this application is allowed on the above condition.

**(Vinod Kumar Sinha, J)**

Sunil Shukla/-

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