

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.77990 of 2018**

Arising Out of PS. Case No.-794 Year-2017 Thana- COMPLAINT CASE District- Banka

Md. Rizwan Kaji Son of Late Sekander Kaji, Resident of Village- Kaji Keri,  
P.S.- Baunsi, District- Banka.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Bibi Rukasana Khatoon, W/o Md Rizwan Kaji, Resident of at present D/o Jiya Akbar, Resident of Village- Rangaon Bujurg, Post- Sathiyari, P.S.- Dhoraiya, District- Banka.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, A.P.P.

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

4      13-02-2019      Heard the parties.

The petitioner seeks anticipatory bail in connection Complaint Case No. 794 of 2017, registered for offences punishable under Sections 498 (A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The allegation against the petitioner as per F.I.R. is that the petitioner, who happens to be the husband of the complainant is of subjecting her to torture due to non fulfillment of demand of Rs one lac and ousted his wife from his house.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case and he is ready to keep the complainant with all privileges. It is further submitted that the petitioner has no criminal antecedent.



Heard learned A.P.P. as well as learned counsel for the informant submitted that still she is not ready to live with the petitioner and the maintenance case has been decided in favour of the Opposite Party No. 2.

Having heard both sides and in view of the facts and circumstances discussed above, let the petitioner, above named, surrender before the court below within a period of six weeks from today and on surrender he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka in connection with Complaint Case No. 794 of 2017, subject to the conditions as laid down under Section 438 (2) of Cr. P. C. with further condition that the petitioner shall be paid the maintenance amount in favour of the complainant and in case if he fails to do so, the Opposite Party No. 2 will move before the lower Court for cancellation of his bail bond, who will consider the same and pass appropriate order.

sudha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

**(Vinod Kumar Sinha, J)**

