

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18926 of 2019**

Arising Out of PS. Case No.-886 Year-2018 Thana- COMPLAINT CASE District- Araria

MD. KALIMUDDIN Son of Sk. Md. Yunus Resident of Village - Durgapur  
Ward No. 12, P.S.- Bousi, District- Araria

... .. Petitioner

Versus

1. The State of Bihar
2. Bibi Rizwana Khatoon Wife of Md. Kalimuddin @ Dr. Md. Kalimuddin,  
D/O- Md. Hasiburrahman Resident of Village - Durgapur, Ward No. 12,  
P.S.- Bousi, District- Araria

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr. Abhijeet Gautam  
For the Opposite Party/s : Mr. Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

6      17-02-2020                      Heard learned counsel for the petitioner and learned  
APP for the State.

No one appears on behalf of the O.P. No.2.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under section 498A of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

As per allegation in the Complaint, nikah was performed between the Complainant and the petitioner on 15.06.2015. It is stated that soon after nikah, illegal demand started and the accused persons started to torture the Complainant by not giving her food and also making an attempt



to pour kerosene oil on her and burn her. It is further stated that on there being no issues from the said marriage, she was repeatedly taken to the doctors. On the date of occurrence, the Complainant was abused for not fulfilling the demand of the accused persons and she was forced out of the house.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the Complaint are false and concocted. It is submitted that the petitioner is always ready and willing to keep the Complainant with full honour and dignity but it was the Complainant, who was not ready. In the instant case, the matter was referred to the Patna High Court Mediation Centre for mediation and settlement but the same failed for the reason that not agreeing to live with the petitioner, the petitioner was ready to part ways amicably by giving “Den Mohar” of Rs.1,50,000/- and the remaining amount of ornaments worth Rs.2 lac as final settlement, however, the Complainant continued to make demand of a much larger amount, which the petitioner was not capable of giving.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above stated facts and



circumstances of the case including the fact that all attempts have been made for settlement of the matter by sending the same to the Patna High Court Mediation Centre, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Complaint Case No.886C of 2018 is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

**(Partha Sarthy, J.)**

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