

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24752 of 2019

Arising Out of PS. Case No.-923 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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MD. SHAHID RAZA @ MD. SAHID RAJA Son of Late Md. Islam Resident of Jail Road, Near Old Water Tanki Chandwara P.S.-Town Muzaffarpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nasreen Praveen @ Nasreen @ Gurda Praveen, Wife of Md. Shahid Raza @ Md. Sahid Raja and daughter of late Md. Nesarul Haque, Resident of Village and P.O.- Gaus Bazar, P.S.- Runnisaidpur, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Anis Akhtar
For the State	:	Mr.Ramchandra Singh
For the Informant	:	Mr. Sarbottam Kumar Sarkar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

8 26-10-2021 Heard the learned counsel for the petitioner and learned counsel for the informant.

The petitioner apprehends his arrest for the offences alleged under Sections 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, registered in connection with Complaint Case No. 923 of 2017 (Trial No.2745/2017).

This is a case of matrimonial dispute.

The complainant, Nasreen Praveen made allegation against her husband, the petitioner that he demanded an Indigo



car and Rs. 5,00,000/- cash and due to non-fulfilment thereof the petitioner tortured her. The petitioner also pressurized the complainant to dispose of her land and hand over the consideration money to the petitioner.

Learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated.

For amicable settlement of the dispute, the matter was referred several times to the Mediation Centre, but mediation failed. The complainant has also filed a case for maintenance under Section 125 of the Cr.P.C. before the Principal Judge, Family Court, Muzaffarpur and vide order dated 7th June, 2018 in Maintenance Case No.51 of 2018 the said court granted Rs. 10,000/- per month as ad-interim maintenance. Admittedly, the interim maintenance is continuously being deducted from the salary of the petitioner and being paid to the opposite party no.2.

Considering the aforesaid facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate , (East) Muzaffarpur in Complaint Case No. 923 of



2017 (Trial No.2745/2017), subject to the conditions as laid down under Section 438(2) Cr. P.C. with further condition that the both parties will appear before the court below, which shall take recourse to the District Mediation Centre. If the opposite party no.2 evades mediation, the bail granted to the petitioner will be confirmed and if the petitioner evades the mediation the lower court will be at liberty to cancel his bail bonds.

(Nawneet Kumar Pandey, J)

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