

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87155 of 2019

Arising Out of PS. Case No.-846 Year-2018 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

MD. HAROON Son of Md. Ali Resident of Village- Manika Bishunpur
Chand, P.S.- Mushari, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shahnaz Begum W/o Md. Haroon and D/o Md. Israil Resident of Village-
Manika Bishunpur Chand, P.S.- Mushari, Distt- Muzaffarpur at present
residing at Village- Ramdas Majahuli, P.S.- Bochaha, Dist- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arif Daula Siddiquie Mr. Asif Kalim Mr. Mahtab Alam
For the State	:	Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-10-2021 Heard learned counsel for the petitioner and learned

APP appearing on behalf of the State. Despite service of notice,

no one appears on behalf of opposite party No. 2.

The petitioner apprehends his arrest in connection
with Complaint Case No. 846/2018 registered for the offences
punishable under Sections 498-A of the Indian Penal Code.

The allegation against the petitioner is of demand of
dowry and torture.

It is submitted by learned counsel for the petitioner
that from perusal of the impugned order, it appears that opposite
party No. 2 is not ready to stay with the petitioner.



From the facts of the case, at this stage, the Court cannot decide finally whether the allegations of demand of dowry are true or not.

Learned counsel for the petitioner submits that the petitioner has shown his *bonafide* and has offered to pay a sum of rupees three thousand per month as maintenance amount to the opposite party No. 2.

Considering the aforesaid facts and circumstances, the present application for grant of anticipatory bail, is allowed, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, East, Muzaffarpur in connection with Complaint Case No. 846/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C, subject to the following conditions:-

1. The petitioner will pay the maintenance amount for October, 2021, which will be deposited in the Court below by the 7th of November, 2021 and, thereafter, by the 7th day of every month.
2. The maintenance amount will be paid directly to



the opposite party No. 2 in her account. The details of the bank account of the opposite party No. 2 will be given to the petitioner by her lawyer to the lawyer of the petitioner.

3. In case, the opposite party No. 2 fails to provide her bank account details, the petitioner will pay the aforesaid maintenance amount through money order and file receipts of the same before the Court below.

4. If the petitioner fails to obey the abovementioned conditions, without any genuine ground, his bail bonds are liable to be cancelled by the Court below.

The application is allowed in the aforesaid terms.

(Sandeep Kumar, J)

Saif/-

U		T	
---	--	---	--

