

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8896 of 2020

Arising Out of PS. Case No.-49 Year-2019 Thana- MAHILA PS District- Darbhanga

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Tauseef Huda @ Tausif Son of Mohammad Noorul Huda @ Md. Noorul Huda @ Noorul Huda Resident of Village - Balha, P.S.- Kamtaul, District - Darbhanga, present residing at House no.- 7C, 2nd floor, LIG DDA Flats, Pocket- A, New Zafrabad, P.S.- Welcome Police Station, Babarpur, Shahdara, North East Delhi - 110032.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-11-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Mahila P.S. Case No. 49 of 2019 instituted for the offence under Sections 323, 379, 377, 498A, 504, 506, 494/34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

The allegation against the petitioner is that due to non-fulfillment of dowry demand, petitioner started to assault and torture the informant mentally and physically.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case present case. He has got no criminal antecedent.

Learned Counsel for the informant prayed for some maintenance for survival of the informant as she is a housewife and she is not able to maintain herself.

In alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give rupee six thousand per month from this month, subject to furnishing bank account number by the informant to the petitioner.

In the changed circumstance, learned counsel for the informant admits that he shall provide bank account number of the informant to the petitioner within a period of one week from today. On receipt of the bank account number of the informant, the petitioner shall deposit Rs 6,000/ (Six Thousand) in every month commencing from November as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Mahila P.S. Case No. 49 of 2019, he will 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 learned S.D.J.M., Darbhanga, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 6,000/- (for the month of November) by the petitioner in the account of the informant.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

(Sunil Kumar Panwar, J)

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