

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6510 of 2022

Arising Out of PS. Case No.-60 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

Md. Ejhar Khan @ Guddu Son Of Md. Jumman R/O Village- Kodarjanna,
P.S.- Mufassil, District- Sahebgunj

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Farjana Khatoon Wife Of Md. Ejhar Khan @ Guddu, D/O- Md. Rushtam
R/O Village- Roshanpur, P.S.- Pirpainty, District- Bhagalpur
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh
For the Opposite Party/s : Mr.Pawan Kr. Chaurasiya

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Mahila P.S.
Case No. 60 of 2018, registered for the offences punishable
under Sections 498(A)/34 of the Indian Penal Code and section
3/4 of the Dowry Prohibition Act.

Prosecution case in brief is that after marriage this
petitioner along with family members started demanding dowry
of Rs. 2 lakh and due to non-fulfillment of the same she was
subjected to mental and physical torture.

It is submitted that entire allegation is false and
concocted. No such occurrence has ever taken place. Petitioner
is ready to keep his wife (Opposite Party No. 2) with full honour



and dignity, but the Opposite Party No. 2 does not want to live with the petitioner and this fact has also been stated in the impugned order that at the time of hearing, Farzana Khatoon (Opposite Party No. 2) was present before the court and she refused to live with the petitioner. It is further submitted that Opposite Party No. 2 has filed maintenance case no. 86 of 2019 which was heard and vide order dated 21.01.2021 learned Family Court directed to pay maintenance of Rs. 3000/- to the OP No. 2. Pursuant to that order, petitioner is making payment of Rs. 3,000/- pm to the Opposite Party No. 2.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Mahila P.S. Case No. 60 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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