

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10351 of 2020

Arising Out of PS. Case No.-769 Year-2019 Thana- TURKAULIYA District- East
Champaran

MD. RAHMATULLAH @ NAUSHAD ALAM @ MD.
RAHAMATULLAHY S/o Shikh Nur Mohammad Resident of Village-
Shankar Saraiya, Munshiinar, P.S.- Turkauliya, Distt- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khusheeda Praveen W/o Md. Rahmatullah @ Naushad Alam D/o Amarul
Haque R/o Village- Shankar Saraiya, Munshiinar, P.S.- Tukaulia, Distt- East
Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Turkauliya P.S. Case No. 769 of 2019 instituted for the
offence under Sections 341, 323, 494, 498A, 504 and 34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

As per allegation in the FIR, due to non-fulfillment of
dowry demand of Rs. five lakh, petitioner along with other
family members started to abuse and torture her mentally and



physically and also tried to set her on fire.

It is submitted by learned counsel for the petitioner that petitioner is husband of the informant and he has been falsely implicated in this case.

Learned counsel for the informant has submitted that informant wants some maintenance for her survival as she is a housewife and she is not able to maintain herself and her four children.

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee five 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. 5,000/- (Five Thousand) in first week of every month commencing from the current month August as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and



considering the submissions made on behalf of the petitioner, this Court is inclined to enlarge him on bail. The petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 769 of 2019, 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. 5,000/- (for the month of August) 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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