

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7952 of 2022

Arising Out of PS. Case No.-22 Year-2021 Thana- MAHILA P.S. District- Sheikhpura

MD. SHAKIB Son of Md. Quasim Resident of Village - Gobarbigha, Police
Station - Asthwan, District- Nalanda (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Simran Praveen @ Neha Praveen Daughter of Late Md. Ahsan Resident of
Village- Ramjanpur, Police Station - Barbigha, District - Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in a case registered under sections 147, 341, 323, 324, 307, 379, 504, 506, 498(A), 341, 323, 506/34 of the IPC and sections 3/4 of Dowry Prohibition Act and 3/4 of the Muslim Women Protection of Right on Marriage Act, 2019.

Petitioner, who is husband of the informant, is said to have committed torture upon the informant in association of his family members due to non-fulfillment of demand of dowry and ultimately, he divorced the informant over a phone call.

It is submitted by learned counsel for the petitioner that



petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. There is general and omnibus allegation against the petitioner. It is submitted that the petitioner is a minor and he has never solemnized marriage with the informant.

Learned APP for the State opposed the prayer for bail by submitting that there is serious allegation of torturing the informant for demand of dowry.

In that view of the matter, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Sheikhpura Mahila P.S. Case No.22 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is ready to pay Rs.5000/- (Rupees Five Thousand) per month to opposite party no.2 in the first week of every month, for her maintenance, as per the bank account details furnished by her in the learned Court below.



It is made clear that if the petitioner fails to pay the aforesaid amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned Court below for cancellation of the bail bond of the petitioner.

It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceedings.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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