

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21886 of 2021**

Arising Out of PS. Case No.-349 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Hasibul Rahman Son Of Motiur Rahman R/O Village- Pandaul Bujurag, P.S.-
Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rehana Khatoon Wife Of Md. Safaur Rahman R/O Village- Pandaul
Bujurag, P.S.- Nanpur, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-04-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

The petitioner is apprehending his arrest in a

complaint case wherein cognizance has been taken under

Sections 498(A) of the Indian Penal Code.

The accusation is of torture for non-fulfillment

of dowry demand and ousting the daughter of the

complainant from her matrimonial house.

It is submitted by learned counsel for the



petitioner that the petitioner tried his best to resume the conjugal life with his wife but she herself does not want to live with the petitioner.

Learned counsel appearing on behalf of the complainant has submitted that petitioner is in habit of making assault with the daughter of the complainant. Hence, out of fear of her life, she does not want to live with the petitioner.

In the alternative, the petitioner is ready to make payment of Rs. 3000/- per month to the daughter of the complainant by depositing the same in her bank account by 1st week of every month.

The petitioner undertakes that he shall pay the monthly payment of Rs. 3000/- of this month i.e. April, 2022 to the daughter of the complainant before filing of the bail bonds and from May, 2022, he shall continue making payment of Rs. 3000/- per month by 1st week of every month in the bank account of his wife.

The learned counsel appearing on behalf of the



complainant has accepted the offer of the petitioner and undertakes to provide bank account details of the daughter of the complainant to the petitioner as early as possible.

Considering the aforestated facts, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Complaint Case No. 349 of 2018, 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. 3000/- by the petitioner in the account of his wife.

The aforesaid payments will be subject to any



order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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