

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24203 of 2021

Arising Out of PS. Case No.-76 Year-2020 Thana- MAHILA P.S. District- Madhubani

Md. Akbar Sah Son of Md. Gafur Sah Resident of Village - Dokhar, P.S.-
Kaluwahi, Dist.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Momena Khatoon Wife of Md. Akbar Sah D/o Yunus Sah Marhum, Resident of Village - Patwara, P.S.- Rajnagar, Dist.- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Jha
For the State	:	Ms. Rita Verma
For the Informant	:	Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 11-04-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 494, 34 of the Indian Penal Code.

The accusation is of torture for non-fulfillment of dowry demand, performing second marriage and ousting the informant 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 the informant but the informant did not agree to live with the petitioner. However, petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition.

Learned counsel appearing on behalf of the informant has submitted that informant is not ready to live with the petitioner since petitioner is in habit of making assault to the informant. The petitioner has also performed second marriage.

In the alternative, the petitioner is ready to pay Rs. 4000/- as interim maintenance to the informant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 4000/- per month to the informant by depositing the same in her bank account by 1st week of every month from May, 2022.

The learned counsel appearing on behalf of the



informant has accepted the offer of the petitioner and undertakes to provide bank account details of the informant 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, Madhubani in connection with Madhubani Mahila P.S. Case No. 76 of 2020, C.R.I Case No. 2049 of 2020, 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. 4000/- by the petitioner in the account of the informant.

The aforesaid payments will be subject to any



order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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