

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15789 of 2022**

Arising Out of PS. Case No.-86 Year-2021 Thana- MUNGER MUFFASIL District- Munger

EJAJ AHMAD Son of Kamal Ahmad @ Md. Jamal Ahmad Resident of
Village Mobarak Chak, P.S. - Mufassil, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Udbhav, Advocate
For the Opposite Party/s	:	Mr. Dr. Kumar Uday Pratap, A.P.P.
	:	Mr. Rashid Izhar
	:	Ms. Jyoti Ranjan Jha

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

6 12-10-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

In compliance of the order dated 21.09.2022, the petitioner and the informant are present physically in the Court along with their respective counsels. After hearing the learned counsel for the petitioner and the learned counsel for the informant, the Court finds that it is a case where Khula Talak was given by the informant to the petitioner with certain conditions. Now, the present case has been instituted by the



petitioner under Section 498(A) where she admits herself that Khula Talak has been given to the petitioner, the informant who is present in person submits that her 5 days old daughter was taken away by the petitioner and she was ousted from her matrimonial home after keeping the jewellery and the money which was credited in the account of the petitioner by her relatives.

The petitioner who is also present in the Court submits that the informant on her own volition left her matrimonial home and left the child even, the petitioner next submitted that still he is willing to give the child to the informant if she wants, on query of the Court from the informant whether she intends to take back her daughter or not, to which the informant very sternly replied that she does not intend to take her daughter back and only wants her belongings and money back, to which the petitioner disputes her claim and submits that at the time of Khula Talak, the dispute was resolved and also asserts and states that the informant intends to perform her second marriage and thus does not want the child back.

Considering the submissions made by the parties, the petitioner above-named, in the event of his arrest or surrender



before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No. 86 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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