

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19465 of 2020

Arising Out of PS. Case No.-226 Year-2019 Thana- MANJHI District- Saran

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SHAHNAWAZ KHAN Son of Mahbub Khan Resident of Village - Dumari,
Police Station - Manjhi, District - Saran at Chhapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tabassum Wife of Shahnawaz Khan Daughter of Md. Mohaiyuddin Khan,
Resident of Mohalla - Dahiawa (Near Sia Masjid), Police Station - Chhapra
Town, District - Saran at Chhapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

8 29-03-2022 Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the
offences alleged under Sections 323, 504, 498-A, 368 and 387
of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act, registered in connection with Manjhi P.S.Case
No. 226 of 2019.

As per allegation, the marriage of opposite party
no.2 was solemnized with the petitioner on 16.10.2019. The
couple has two issues, a son of seven years and a daughter of
three and half years. It is alleged that the petitioner made
pressure on the informant/complainant for Rs. 2,00,000/- cash



as dowry. The petitioner inflicted atrocity on the opposite party no.2 for non-fulfilment of dowry demand, for that Manjhi P.S.Case No.168 of 2013 was lodged by her. That case ended in compromise. She returned to her matrimonial house, but again she was tortured. It has also been alleged that the petitioner has developed illicit relation with another girl.

The learned counsel for the petitioner has submitted that the petitioner is ready to keep the opposite party no.2 with full dignity and honour. He has submitted further that opposite party no.2 went to her matrimonial house after compromise in said case, but she is not willing to reside in her matrimonial house.

At the time of hearing of the case, it was pointed out that the husband and wife both are teachers. The wife, opposite party no.2 has also instituted a case for maintenance under Section 125 of the Code of Criminal Procedure.

For amicable settlement of the dispute, the matter was referred to the District Mediation Centre, but as per the report of the District Mediation Centre dated 15.03.2022, the mediation could not be successful

Considering the fact that the matter was earlier compromised between both the parties and again the case has



been filed, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Saran at Chhapra in connection with Manjhi P.S.Case No.226 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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