

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31241 of 2021

Arising Out of PS. Case No.-15 Year-2019 Thana- MAHILA P.S. District- Madhubani

Md. Hasmatullah Son of Late Atimullah Resident of Village- Laukaha, P.S.-
Laukaha, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sultana Khatoon Wife of Md. Hashmatullah Resident of Village- Laukaha,
P.S.- Laukaha, District- Madhubani ant At present residing with her father
namely Md. Nijam, Resident of Suratganj, Ward No. 17, P.S.- Town,
District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar Singh
For the State	:	Mrs. Pushpa Sinha
For the O.P. No. 2	:	Mr. Ratnakar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 03-03-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 498A, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner, who is husband of opposite party no2., is said to have tortured the opposite party no.2 in association of his family members on non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor



tormented her over the demand of dowry. There is general and omnibus allegation levelled against the petitioner. He is still ready to keep her with full honour and dignity. Petitioner has no criminal antecedent.

However, the petitioner is ready to give Rs.7,000.00 (Rupees Seven Thousand) as maintenance to opposite party no.2 in second week of every month till one year. If the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, his bail bond shall automatically cancelled. Petitioner is also directed to appear before the learned court below where the maintenance case, filed by the opposite party no. 2, is pending.

Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks by submitting the same on affidavit before the learned court below.

In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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
Mahila P.S. Case No.15 of 2019, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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