

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22485 of 2022

Arising Out of PS. Case No.-1299 Year-2020 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Md. Nazim @ Md. Nazim Uddin Son of Md. Nakim Uddin Resident of
village Simari Bakhtiyarpur, Idgah Tola, Ward No. 6, P.S. Simari
Bakhtiyarpur, District Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nazia Praveen @ Gulshan Praveen Wife of Md. Nazim Daughter of Md.
Samim, Resident of village - Madho Para, Das Tola, P.S. - K. Hat, District -
Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2022 Heard learned counsel for the parties.

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

Petitioner, who is husband of O.P. No.2, is said to
have ousted the informant from her matrimonial home in
association of his family members over the 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. He is still ready to keep her with full honour and dignity. The petitioner has relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in *2006 (3) PLJR 182*.

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 Complaint Case No.1299 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Petitioner is ready to pay Rs.8000/- (rupees eight thousand) per month to O.P. No.2 in the second week of every month for a period of one year. If the petitioner fails to pay the aforesaid amount on two consecutive months, the O.P. No.2 shall be at liberty to move before the learned court below for cancellation of bail bond of the petitioner.

It goes without saying that the aforesaid payment shall



be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

Learned counsel for O.P. No.2 is directed to make available the bank account details of O.P. No.2 in the learned court below.

If so advised, either of the parties will be at liberty to make an application before the learned court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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