

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35539 of 2022

Arising Out of PS. Case No.-32 Year-2021 Thana- MAHILA P.S. District- Sheikhpura

Firoz Alam @ Md. Firoz Son Of Md Salim R/O- Vill-Tikri Road, Mohalla
Aliganj, P.S.- Aurangabad Nagar, Dist.- Aurangabad, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raunak Praveen D/O- Md Nihal, W/O- Firoz Alam @ Md Firoz R/O-
Faizabad, Bypass Road, P.S.- Barbiga, Dist.- Saikhpura, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri N.K. Agrawal, Sr. Adv.
	:	Sri Arvind Kumar, Adv
For the Opposite Party/s	:	Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered under sections 498(A), 34 of the IPC.

Allegation against the petitioner is of committing torture upon the victim in association with his family members for non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that



petitioner is an innocent person and has committed no offence. Petitioner has never made any torture upon the victim and has been falsely implicated in the present case due to grudge. He has never made any dowry demand from the informant. 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*. It is submitted that the petitioner is still ready and willing to keep his wife with full honour and dignity.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Sheikhpura Mahila P.S. Case No. 32 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is ready to pay Rs.5,000/- (Rupees Five Thousand) per month to opposite party no.2 in the first week of every month, for her maintenance, as per the bank account



details furnished by her in the learned Court below.

Learned court below is directed to issue notice to the O.P.
No.2 for furnishing her bank account details.

It is made clear that if the petitioner fails to pay the
aforesaid amount on two consecutive months, opposite party
no.2 shall be at liberty to move before the learned Court below
for cancellation of the bail bond of the petitioner.

It goes without saying that the aforesaid payment shall be
subject to any order passed in matrimonial maintenance case or
any other collateral proceedings.

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

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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