

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37515 of 2022

Arising Out of PS. Case No.-1039 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Md. Mahafuz Alam @ Mahfuz Alam Son Of Abdul Jalil R/O- Dokhra, P.S.-
Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 498(A), 328, 120(B) of the Indian Penal Code.

The accusations are of torture and making

assault for non-fulfillment of dowry demand and

administered some medicines for getting the pregnancy

terminated, as a result of which, the complainant fell ill.

It is submitted by learned counsel for the

petitioner that the petitioner tried his best to resume the



conjugal life with the complainant but the complainant did not agree to live with the petitioner. There is general and omnibus allegation against the petitioner. The complainant was suffering from the disease of kidney since long time and she was treated by the petitioner for the several doctors. The petitioner is still ready to keep the complainant as wife with full dignity and honour.

Learned counsel appearing on behalf of the complainant has submitted that torture has been inflicted upon the complainant and the complainant is at her parents' house, she is ill and she is at the verge of starvation since the petitioner is not maintaining her.

In the alternative, the petitioner is ready to make payment of Rs. 10,000/- as interim maintenance to the complainant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 10,000/- per month to the complainant by depositing the same in her bank account from December, 2022.



The learned counsel appearing on behalf of the complainant has accepted the offer of the petitioner and undertakes to provide bank account details of the complainant to the petitioner as early as possible.

Considering the aforestated facts, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea in connection with Complaint Case No. 1039 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 10,000/- by the petitioner in the account of the complainant.

The aforesaid payments will be subject to any



order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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