

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7165 of 2021

Arising Out of PS. Case No.-33 Year-2020 Thana- MAHILA PS District- Darbhanga

Md. Galib Son Of Abdul Gani @ Md Abdul Gani @ Abdul Ghani Resident
Of Village- Rusabari, P.S- Jalal Gardh, Distt- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabiya Khatoon D/O Jaki Ahmad Resident Of Village- Chanpatti, P.S-
Ashok Paper Mill, Distt- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-01-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 323, 379, 498(A), 34 of the Indian Penal Code and Section 3 /4 of the Dowry Prohibition Act.



The basic accusation is of torture for non-fulfillment of dowry demand and ousting the informant from her matrimonial house.

It is submitted by learned counsel for the petitioner that the allegation against the petitioner is false and concocted. The petitioner is husband of the informant and he is ready to settle the dispute with the informant.

It is submitted by learned counsel for the petitioner that in view of the undertaking given before this Court to deposit Rs. 1,00,000/- in the account of the informant as interim maintenance, the petitioner has already deposit Rs. 60,000/- in the account of the informant and further undertakes to deposit rest of Rs. 40,000/- in the account of the informant before execution of the bail bonds.

The aforesaid submission of the learned counsel for the petitioner has not been controverted by the learned counsel appearing on behalf of the informant.



The petitioner is also ready to make payment of Rs. 5000/- per month to the informant from March, 2022 by depositing the same in the bank account of the informant by first week of every month.

Learned counsel for the informant undertakes to supply the bank account number of the informant to the petitioner within a period of four weeks from today by filing the same on affidavit before learned Court below.

Considering the present stand of the petitioner, 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 Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga in connection with Mahila P.S. Case No. 33 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



The aforesaid order of maintenance is subject
to any order passed in maintenance or matrimonial
proceedings.

(Sunil Kumar Panwar, J)

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