

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62870 of 2021

Arising Out of PS. Case No.-768 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Md. Riyaz Idrisi @ Riyaz Idrisi S/O Late Badruddin Idrisi R/O Village-
Nababganj, P.O.- Markinganj, P.S.- Kotwali, District- Ghazipur (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Noorjahan Begum W/o Md. Riyaz Idrisi @ Riyaz Idrisi R/o village-
Nababganj, P.O.- Markinganj, P.S.- Kotwali, District- Ghazipur (U.P.), At
Present Address- D/o Md. Ali Hassan Idrisi, R/o village- Dahra, P.O. and
P.S.- Ramgarh, District- Kaimur at Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parwej Khan
For the Opposite Party/s : Mr.Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 10-10-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a

complaint case wherein cognizance has been taken for

the offences punishable under Sections 498(A)/34 of the

Indian Penal Code.

The accusations are of torture, making assault

and ousting the complainant from her matrimonial house

for non-fulfillment of dowry demand.

It is submitted by learned counsel for the



petitioner that the petitioner tried his best to resume the conjugal life with the complainant but she did not agree to live with the petitioner. The complainant is a quarrelsome lady and never want to live with the petitioner. The petitioner is still ready to keep the complainant with dignity and honour.

Learned counsel appearing on behalf of the complainant has submitted that torture has been inflicted upon the complainant. The complainant is residing at her parental house along with her children and she is on the verge of starvation since the petitioner denied to maintain the complainant and the children.

In the alternative, the petitioner is ready to make payment of Rs. 4,000/- as interim maintenance to the complainant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 4,000/- per month to the complainant by depositing the same in her bank account commencing from the month of October, 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 Additional Chief Judicial Magistrate, 1st, Kaimur at Bhabua in connection with Complaint Case No. 768 of 2018, 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. 4,000/- 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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