

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52980 of 2022

Arising Out of PS. Case No.-785 Year-2021 Thana- SITAMARHI District- Sitamarhi

Haroon Rashid @ Md. Haroon Rashid S/O Md. Muslim Ahmad Resident Of
Village - Berwas, Post- Raghapur Bakhari, Ward No.- 8, P.S.- Dumra, District
- Sitamarhi.- 843302.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Hamida Rasheed wife of Md. Haroon Rashid Resident of Urdu Mohalla,
Post Rajopatti, P.S. Sitamarhi, District - Sitamarhi- 843302.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari
For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-12-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 498A, 506, 506/34 of the Indian Penal Code.

Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 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**.

However, the petitioner is ready to give Rs.10,000.00 (Rupees Ten Thousand) per month as maintenance to opposite party no.2 in first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding. If the petitioner fails to give the aforesaid amount on three consecutive dates to opposite party no.2, his bail bond shall automatically be cancelled.

In that view of the matter, let the above named petitioner, be released on anticipatory 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 Sitamarhi P.S. Case No. 785 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

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 Center for the purpose of reconciliation or one time settlement.

Learned court below is directed to issue notice to the informant/opposite party no. 2 for furnishing her bank account details. If she fails to furnish her bank account details the aforesaid amount will be deposited before the learned court below which will be released in favour of the informant/opposite party no. 2 after the informant/opposite party no. 2 furnishes her bank account details.

(Anjani Kumar Sharan, J)

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