

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68337 of 2021

Arising Out of PS. Case No.-92 Year-2018 Thana- MAHILA P.S. District- Rohtas

Rahman Khan Son Of Rafi Khan Resident Of Village - Nikalu Bigha, P.O.
And P.S.- Dehri, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reshma Khatoon Daughter of Late Manzoor Alam Resident of Muhalla - 12
Pathar Durga Mandir Chauk Dehri, P.S.- Dehri, District - Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 498(A), 341, 323/34 of the Indian Penal Code.

The accusations are of making assault for non-

fulfillment of dowry demand and ousting the informant

from her matrimonial house.

It is submitted by learned counsel for the

petitioner that petitioner is husband of the informant and

he tried his best to resume the conjugal life with the



informant but it is the informant who did not want to reside with the petitioner. Hence, an Akrarnama was agreed upon between the parties on 23.09.2017 for dissolution of marriage and it was agreed that Rs. 40,000/- will be paid by the petitioner. The petitioner has already paid Rs. 40,000/- by depositing Rs. 15,00/- per month and from October, 2017 to May, 2018. A copy of the Akrarnama has been brought on record as Annexure-3 to the petition. It is also submitted that informant has already performed second marriage and she is leading a happy conjugal life.

It appears that vide order dated 26.07.2022, notices were issued to O.P. No. 2. The office notes suggest that notices were validly served to the informant but in spite of valid service of notice, none appears on behalf of O.P. No. 2.

In the facts and circumstance of the case, 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,
Sasaram, Rohtas in connection with Mahila P.S. Case
No. 92 of 2018, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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