

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14341 of 2023

Arising Out of PS. Case No.-1797 Year-2021 Thana- COMPLAINT CASE District- Araria

MD. MASOOM @ MASOOM Son of Md. Safik R/v- Jamua, Ward No. 01,
P.S.- Tarabari, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. DOMNI KHATOON D/o Salimuddin, W/o Md. Masoom R/v- Jamua, Ward No. 01, P.S.- Tarabari, Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Nishant Kumar Sinha, Adv.
For the Opposite Party/s :	Mr.Satyendra Narayan Singh, APP
	Mr.Nafisuzzoha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered under sections 323, 379, 354B, 498(A), 307 of the IPC and sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. 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. It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Complaint Case No.1797-C/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is ready to pay Rs.3000.00 (Rupees Three Thousand) per month to the complainant in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

Learned Court below is directed to issue notice to



complainant/O.P. No.2 for furnishing her bank account details.
If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details.

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.

With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

