

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32106 of 2022**

Arising Out of PS. Case No.-63 Year-2021 Thana- MAHILA P.S. District- Purnia

IRSHAD HUSSAIN S/o Late Md. Moin Hussain R/o Mohalla Rahi Ka Tola  
Station Road, Ward No.18, P.s.- Araria, District- Araria, At preset Prop. of  
Mumbai Readymade Shop, District- Araria, Permanent address Baksha Gali,  
Dilawarpur, P.s.- Fari, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tarana Praveen W/o Irshad Hussain, D/o Md. Shafir R/o Mohalla- Chhoti  
Masjid, Line Bazaar, P.s.- Sahayak Khajanchi Hat, District- Purnia.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jitendra Kumar Giri  
For the Opposite Party/s : Mr.Umeshanand Pandit APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

5      02-01-2023                      Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of three weeks from today.

Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case  
registered for the offences punishable u/s 341, 323, 504, 498(A)  
read with 34 of the Indian Penal Code.

As per the prosecution case, the informant was  
married to the petitioner as per Islamic rites and custom. After  
marriage, the petitioner and the other co-accused persons started



demanding Rs. 5,00,000/- as dowry and due to non fulfillment of the said demand, the informant was assaulted and ousted from her matrimonial home by the accused persons.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The learned counsel further submitted that a compromise between the informant and the accused petitioner has been filed in the family court. From the deposition of informant it is evident that the informant has compromised the case with the petitioner and the informant has stated she has taken rupees six lakhs through bank draft No. 4062 dated 03.09.2022 for the maintenance of her and her son from the petitioner as one time settlement. The said deposition of the informant was recorded in the Family Court, Purnia on 09.11.2022. There is general and omnibus allegation against the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand)



with two sureties of the like amount each to the satisfaction of the learned court concerned, Purnia in connection with Mahila P.S. Case No. 63 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

**(Chandra Prakash Singh, J)**

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