

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38290 of 2023

Arising Out of PS. Case No.-85 Year-2022 Thana- MAHILA P.S. District- Bhojpur

Md. Jamaluddin Ansari @ Md. Jamaluddin S/O Samshul Haque Ansari R/O
Village- Birampur, Kritpura, P.S- Koilwar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indra Bhushan Tiwary

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 506, 498A, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no.2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

4. Learned counsel for the petitioner submits that in pursuance to the order dated 02.08.2023, the petitioner contacted the informant on her mobile but she refused to come and live with the petitioner. Learned counsel for the petitioner further submits that the petitioner is working as a labour in village. 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**.

5. However, the petitioner is ready to give Rs.3,000.00 (Rupees Three 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 two consecutive dates to opposite party no.2, his bail bond shall automatically be cancelled.

6. 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 Mahila P.S. Case No. 85 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

7. 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.

8. Learned court below is directed to issued notice to the informant 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 after the informant furnishes her bank account details.

(Anjani Kumar Sharan, J)

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