

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39725 of 2022

Arising Out of PS. Case No.-101 Year-2021 Thana- MAHILA P.S. District- Bhojpur

MD. MURAD SHAH @ MURAD RAZA @ MURAD RAJA S/o Shamim
Shah R/o village- M.P. Bagh, Old Police Line, Ara, P.S.- Ara Town, District-
Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Azmeri Khatoon D/o Faizal Imam R/o village and P.O.- Sahar, P.S.- Sahar,
District- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

10 26-06-2023 No one appears on behalf of the informant.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that the
matter was referred for mediation and the issue was amicably
resolved. It is further submitted that the petitioner in presence of
the informant before the learned Mediator accepted to pay an
amount of Rs.14,000/- per month towards maintenance of the
informant and three children. Learned counsel next submits that



the report of the learned Mediator is dated 02.02.2023 and he will make the current payment as well as the arrears payment.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it absolutely does not stand to reason that as to why the petitioner despite agreeing before the learned Mediator is not paying the amount.

Learned counsel for the petitioner submits that the petitioner will pay the arrears amount by 24.07.2023 and thereafter shall start paying the current maintenance amount as agreed.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or 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.5,000/- (Rupees 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 Ara Mahila P.S. Case No. 101 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, if the petitioner does not pay the amount as agreed before the learned Mediator and before this Court for



two consecutive months or does not pay the arrears amount by 24.07.2023, the informant shall be at liberty to file an application seeking cancellation of the bail bonds granted to the petitioner before this Court.

(Satyavrat Verma, J)

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