

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52931 of 2023

Arising Out of PS. Case No.-22 Year-2018 Thana- MAHILA PS District- Gopalganj

Safiur Rahman Son Of Late Anisur Rahman Resident Of Village- Gausihata,
Ps- Barharia, Dist- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rehana Khatoon Wife Of Safiur Rahman, D/O Abdul Kalam Resident Of Village- Gausihata, Ps- Barharia, Dist- Siwan At Present R/O Village- Narayanpur, Ps- Thawe, Dist- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Aadesh Raj
For the Opposite Party/s	:	Mr.Lakshmi Kant Sharma
For the Informant	:	Mr. Firoz Ahmad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 494, 498A, 406, 34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. As per FIR, the informant alleged that the petitioner used to torture her due to non-fulfillment of dowry demand. It is further alleged that he along with his family members also ousted her from the house.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is ready to keep his wife with proper honour and dignity. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.03.2023.

5. Learned APP appearing for the State and learned counsel for the informant have submitted that the informant has filed maintenance case No-209 of 2019 before the learned Principal Judge Family Court, Gopalganj and in this case the petitioner was directed to pay maintenance Rs. 4000/- per month to the informant but till now he has not paid any penny amount to the informant.

6. It is submitted by learned counsel for the petitioner that he is also ready to pay all arrears amount to the informant and at the time of filing bail bond, he agreed to pay 50,000/- of the entire arrears to the account of the informant.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on **provisional bail**. The above named petitioner is directed to be released on provisional bail for **three months** in connection with Gopalganj (Mahila) P.S. Case No. 22 of 2018



on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Gopalganj.

8. The petitioner is directed to pay Rs. 50,000/- to the account of the informant at the time of filing bail bond. Thereafter, he will deposit all the entire arrears in three consecutive installments.

9. The provisional bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of Rs. 50,000/- to the account of informant. The trial Court is also directed to confirm the provisional bail of the petitioner after paying all the arrears.

10. Accordingly, this application stands disposed off with a direction to the learned trial Court that he will confirm the provisional bail of the petitioner, when the rest arrears amount will be given by the petitioner to the informant within three installments and the entire amount will be the subject to the final adjudication.

(Sunil Kumar Panwar, J)

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