

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60553 of 2021**

Arising Out of PS. Case No.-23 Year-2021 Thana- MAHILA THANA District- Begusarai

Md. Nadeem Hussain @ Md. Nadim S/O Late Md. Sujayat R/O Village And  
P.S-Cheriya Bariyarpur, District-Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nargis Praveen W/O Md. Nadeem Village And P.S-Cheria Bariyarpr,  
District-Begusarai, At Present D/O Md. Afroz, Village-Daniyalpur Miyanji  
Tola, P.S-Teghra, District-Begusarai, Mobile No.7004902195

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amrendra Kumar, Advocate  
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      17-03-2023                      Heard Mr. Amrendra Kumar, learned counsel  
  
appearing on behalf of the petitioner and Ms. Sangeeta Sharma,  
  
learned APP appearing on behalf of State.

2. The petitioner apprehends his arrest in connection  
with Mahila P.S. Case No. 23 of 2021 registered under Sections  
498(A), 504/34 of the Indian Penal Code and Section 3/4 of the  
D.P. Act.

3. The prosecution story, in brief, is that due to  
strained relationship, the informant-Opposite Party No. 2, who  
is the wife of the petitioner, has filed the present case.

4. Learned counsel appearing on behalf of the  
petitioner has denied all the allegation leveled against him by



the informant-Opposite Party No. 2 including the dowry demand of Rs. 2 lakhs. He further submitted that the petitioner is ready to keep the Opposite Party No. 2 with full honour and dignity and also support her financially.

5. Learned counsel appearing on behalf of the Opposite Party No. 2 submitted that the matter was referred before the Mediation Centre of this Court, the party could not resolve their dispute in the process of mediation. Learned counsel further submitted that the conduct of the petitioner is of keeping the Opposite Party No. 2 with full honour and dignity but has not disclosed the fact that the petitioner has filed a Divorce Case No. 69 of 2021 before the Family Court, Begusarai.

6. Considering the submissions made on behalf of the respective parties, and the fact that the petitioner is ready to withdraw the Divorce Case No. 69 of 2021 filed before the Family Court, Begusarai after having ready to keep his wife with full honour and dignity, it would be proper for this Court to release the petitioner on provisional bail with a condition that the petitioner must produce an order regarding withdrawal of the Divorce Case No. 69 of 2021, in case, such petition/order is brought on record, the Court below is directed to release the



petitioner on provisional bail and observe the conduct of the parties for a period of one year. In case either of the party do not make any complaint then the provisional bail granted to the petitioner is directed to be made absolute on such terms and conditions as the Court below may deem it fit and proper.

7. Court below is directed to release the petitioner on provisional bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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., Begusarai in connection with Mahila P.S. Case No. 23 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Purnendu Singh, J)**

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