

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52184 of 2022

Arising Out of PS. Case No.-171 Year-2021 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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SHAMSHER SHAH @ MD. SHAMSHER ALAM S/o Hasnu Sah Village-
chaman Khaira, Azimabad, P.S.- Chhabilapur, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sitara Khatoon W/o Shamsheer Shah D/o Md. Asalam Shah @ Nanhak R/o
Village - Shah Jiwan Dargah, P.S.- Kurtha, District - Arwal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Raj Kishor Prasad, Adv.
For the Opposite Party/s	:	Mr.Tarkeshwar Nath Thakur, APP
For the informant	:	Mr.Paras Nath, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-02-2023 Heard learned counsel for the petitioner and the

State as also the informant.

The petitioner apprehends his arrest in connection
with Complaint Case No. 171 of 2021 instituted under Sections
498A/34 of the Indian Penal Code and Section 4 of Dowry
Prohibition Act.

Earlier, the matter was sent to the Mediation Centre
and according to the report dated 2.2.2023, the same failed.

Learned counsel for the petitioner submits that despite
the fact that the mediation failed, he want to continue the
relationship and keep her with full dignity and honour and till
she is wife, he intends to pay Rs. 6,000/- per month to the lady



beginning February, 2023 in the Bank Account of the lady which will be provided by the learned counsel for the informant to the petitioner's counsel.

Learned counsel for the informant on the other hand submits that in view of the development that has taken place, subsequently, she fears going to her in-laws' house.

Considering the aforesaid facts as also that he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 6,000/- per month by 20th of every month failing which the informant will have all the liberty to take steps in accordance with law for cancellation of his bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Complaint Case No. 171 of 2021 to the satisfaction of learned S.D.J.M., Arwal, subject to the conditions as laid down under Section 438(2) of the Cr.P.C and with further conditions :

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ajay Singh/-

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