

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62104 of 2022

Arising Out of PS. Case No.-640 Year-2021 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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MD. AKHALAQUE @ MD. AKHALAQURAHAMAN Son of Md. Safiqur Rahman @ Md. Shafique R/v- Madanpur, P.S.- Madanpur, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. FARZANA PARWEEN D/o- Md. Shamsuddin R/v-Islampur Masque, Madanpur, P.S.- Madanpur, District- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukul Kumari, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP.
Mr. Ram Pravesh Nath Tiwari, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-05-2023 Heard the parties.

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

Petitioner, who is husband of complainant, is said to have tortured upon her physically and mentally over the dowry demand, in association with his family members. They also ousted her from her matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand nor



drove her out of her matrimonial home nor tormented her over the demand of dowry.

Petitioner is ready to pay Rs. 3,000.00 (Rupees Three Thousand) per month to the complainant in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

In that view of the matter, let the above named petitioner, be released on 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 Complaint Case No. 640 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

Learned counsel for the complainant is directed to furnish the bank account details of the complainant. If he fails to furnish



the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after he furnishes her bank account details.

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.

With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

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