

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70723 of 2023

Arising Out of PS. Case No.-874 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

MD. RAHUL @ SEKH RAHUL @ MD. RAHUL ALAM son of SK Abdul
Village- Bandebar Ps- Hasanganj Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Khatoon D/o- Md. Sohil, W/o- Md. Rahul Village- Baluwa
Baurgachhi Ps- hasan Ganj Dist- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vinay Ranjan, Adv.
For the Opposite Party/s :	Mr. Md. Anzarul Haque Sahara, APP.
	Mr. Md. Musowir, Adv.
	Mr. Anup Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961.

3. Petitioner, who is husband of opposite party no2., is said to have tortured upon her physically and mentally and ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

4. 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. It is further submitted that petitioner has already been directed by learned Family Court to pay Rs. 3,000/- per month to the opposite party no.2. Petitioner has no criminal antecedent, as mentioned in Para 3 of the bail application.

5. Learned APP for the State as well as learned counsel for the opposite party no.2 opposed the prayer for bail.

6. In that view of the matter, as petitioner has already been directed by learned Family Court to pay Rs. 3,000/- per month to the opposite party no.2, 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. 874 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

7. 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 for one time settlement.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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