

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17364 of 2024

Arising Out of PS. Case No.-16 Year-2023 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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MD. AHMAD DARJI Son of Md. Ajij Darji Resident of Village-Pahra
(Jhitki), P.S.-Khirhar, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. REHANA KHATOON Wife of Md. Ahmad Darji Resident of Village-Pahra
(Jhitki), P.S.-Khirhar, District-Madhubani. At present daughter of Chhote
Ansari, Resident of Village-Pahra (Jhitki), P.S.-Khirhar, District-Madhubani.

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ravi Prakash
For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 331-07-2024
1. Heard learned Counsel for the petitioner, learned Counsel
for the informant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 16 of 2023, registered for the offences
punishable under Sections 323, 341, 504, 506, 386, 379,
498(A) of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act.

3. The allegation, as per the complaint, is that the marriage
of the Opposite Party No. 2 was solemnized with the
petitioner on 13.09.2021. At the time of marriage, gifts
along with Rs. 60,000/- was given to the petitioner from the



side of O.P. No. 2. After sometime of marriage, Rs. 2,00,000/- was demanded as dowry from the side of the petitioner for the purpose of opening a kirana store and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 2 physically as well as mentally and also ousted the Opposite Party No. 2 from her matrimonial home.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 7,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case pending between the parties.

5. Learned Counsel for the informant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 7,000/- per month in the bank account of the informant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner



within one week from today.

6. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st, Benipatti, Madhubani, in connection with Complaint Case No. 16 of 2023.

9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 7,000/- per month in the bank account of Opposite Party No. 2 positively, starting from 10th August, 2024.

(Anil Kumar Sinha, J)

HarshPandey/-

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