

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18275 of 2024

Arising Out of PS. Case No.-53 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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NAUSHAD ALAM SON OF MANJOOR ALAM RESIDENT OF VILLAGE
- JHAGARUA, P.S. - JAMALPUR, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NIKHAT JEBI DAUGHTER OF ABDUSH SHAKUR, WIFE OF
NAUSHAD ALAM RESIDENT OF VILLAGE - BRAHMPURA, P.S. -
GHANSHYAMPUR, DISTRICT - DARBHANGA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 4 | 31-07-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner, learned Counsel for the complainant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.2. The petitioner apprehends his arrest in connection with Complaint Case No. 53 of 2023, registered for the offences punishable under Sections 498-A/323/341 of the Indian Penal Code.3. The allegation, as per the complaint case, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner in the year 2014. It has further been alleged that after one year of the marriage, the accused persons started demanding Rs. 1,00,000/-, a cow, |
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refrigerator and gas cylinder as dowry and due to non-fulfillment of the said demand, the complainant was abused, assaulted and tortured and ousted 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. 4,000/- 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, if any, pending and/or decided between the parties.
5. Learned Counsel for the complainant-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. 4,000/- per month in the bank account of the complainant-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 ten days 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 Class, Biraul, Darbhanga, in connection with Complaint Case No. 53 of 2023.
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 4,000/- per month in the bank account of Opposite Party No. 2, starting from 15th August, 2024.

(Anil Kumar Sinha, J)

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