

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26741 of 2024**

Arising Out of PS. Case No.-754 Year-2023 Thana- BHOJPUR COMPLAINT CASE  
District- Bhojpur

SAIYAD ALI @ SHAIYAD ALI S/O LAL MOHAMMAD R/O RAJA  
BAZAR FIELD, LANE NO. 7, BIHIYAN, P.S- BIHIYAN, DISTT.-  
BHOJPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHABANA PARWEEN W/O SAIYAD ALI @ SHAIYAD ALI, D/O LATE  
MD. SHAMIM R/O VILLAGE- GARHANI, P.S- CHARPOKHARI,  
DISTT.- BHOJPUR.

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr.Bibhakar Tiwary, Advocate |
| For the Opposite Party/s | : | Mr.Syed Mojibur Rahman, APP  |
| For O.P. No. 2           | : | Md.Ataul Haque, Advocate     |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 3      18-09-2024      1.                      Heard learned Counsel for the petitioner, learned  
Counsel for the Opposite Party No. 2 and learned Additional  
Public Prosecutor for the State.
2.                      The petitioner apprehends his arrest in connection  
with Complaint Case No. 754(C) of 2023, registered for the  
offences punishable under Sections 498-A, 323, 504 of the  
Indian Penal Code.
3.                      The allegation, as per the First Information Report,  
is that the marriage of the Opposite Party No. 2 was solemnized  
with the petitioner on 17.06.2019 and handsome of dowry has  
been given. But after sometime, the petitioner and his family



members started demanding more money and upon non-fulfillment of the same, she was 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. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case and/ or the matrimonial case, if any, pending and/ or decided 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. 5,000/- 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 ten days from today.

6. Regard being had to the submissions made on behalf of 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, Bhojpur at Ara in connection with Complaint Case No. 754(C) of 2023.
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account of Opposite Party No. 2 positively, starting from 07<sup>th</sup> October, 2024.

(Anil Kumar Sinha, J)

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