

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27068 of 2024

Arising Out of PS. Case No.-1245 Year-2023 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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MD. SHAHANSHAH SON OF MD. AYUB KHAN RESIDENT OF
VILLAGE - MEDNIPUR, KHAN TOLA, MANIHARI, P.S. - MANIHARI,
DISTRICT - KATIHAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ZEBA NISHAT WIFE OF MD. SHAHANSHAH, DAUGHTER OF DR.
MD. TAJUDDIN RESIDENT OF VILLAGE - SAHARSA BASTI, WARD
NO.28, P.S. AND DISTRICT - SAHARSA

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Nafisu Zzoha, Advocate
For the State	:	Mr. Binod Kumar, APP
For Opposite Party No.2 :		Mr. Raja Surendra Moha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-08-2024 Heard learned counsels for the parties.

2. The petitioner, husband of the

complainant/Opposite Party No. 2, apprehends his arrest in

Complaint Case No. 1245c of 2023 registered for the offence

punishable under Section 498A of the Indian Penal Code and

Sections 3 and 4 of the Dowry Prohibition Act.

3. As per complaint case, this petitioner is alleged to

have committed torture and harassment with the

complainant/Opposite Party No. 2 due to non-fulfillment of

demand of dowry.

4. Learned counsel for the petitioner submits that



petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand rupees) per month, starting from this month, to complainant/Opposite Party No. 2.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of ***Rs. 3,000/- (three thousand rupees) per month to complainant/Opposite Party No. 2***, in the event of arrest/surrender within a period of six weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa, in connection with Complaint Case No. 1245c of 2023, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/Opposite Party No. 2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the complainant/Opposite Party No. 2 .

(C.) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail bond.

(D.) The aforementioned payment will be subject to any order passed in matrimonial,



maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.”

(Prabhat Kumar Singh, J)

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