

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28909 of 2024

Arising Out of PS. Case No.-984 Year-2023 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

Md. Jubair Son of Md. Usman Resident of Village- Baji Buzurg, P.S.- Sakra,
Dist.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Khatoon Wife of Md. Jubair, D/o Abdul Jabbar Marhum Resident of
Village- Chakna, P.S.- Saraiya, Dist.- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Hans Lal Kumar
For the State	:	Mr.Sanjay Kumar Sharma
For Opposite Party No. 2	:	Mr. Indrajeet Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 18-09-2024 | <ol style="list-style-type: none">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. 984 of 2023, registered for the offences punishable under Sections 498-A/323 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.3. The allegation, as per the complaint petition, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 20.04.2017 and after sometime, the petitioner and his family members started demanding Rs. 1,00,000/- by way of dowry and due to non-fulfillment of |
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the said demand, the petitioner and his 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. 3,000/- 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 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. 3,000/- per month in the bank account of the 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 fifteen 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 Sub Divisional Judicial Magistrate, West, Muzaffarpur, in connection with Complaint Case No. 984 of 2023.
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 3,000/- per month in the bank account of Opposite Party No. 2 positively, starting from 07th October, 2024.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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