

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34374 of 2024

Arising Out of PS. Case No.-601 Year-2023 Thana- COMPLAINT CASE District- Araria

Abdul Waris Son Of Mohammad Masebul Haque Village - Ajhuwa, Ward No.
13, Ps- Jokihat, Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Farheen Anjum Dauther Of Md. Mustaque Alam Village - Ajhuwa, Ward
No. 13, Ps- Jokihat, Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramesh Kumar Singh, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP
For the complainant	:	Mr. Gopal Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 26-10-2024 Heard Mr. Ramesh Kumar Singh, learned counsel for

the petitioner, Mr. Gopal Kumar Jha, learned counsel for the

complainant and Mr. Raj Ballabh Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complainant Case No. 601C of 2023 for the
offences punishable under Sections 498A of the Indian Penal
Code.

3. The allegation against the petitioner is of torturing
the informant in association of his family members on account
of non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Pursuant to the direction of this Court, the matter was referred to Patna High Court Mediation Centre for resolving the matter between the parties but the report of the learned Mediator dated 08.10.2024 reveals that inspite of best and sincere efforts, the dispute between the parties could not be resolved.

6. Learned counsel for the petitioner outrightly submits on the basis of the instruction received from the petitioner that the petitioner is ready to pay Rs.7,000/- (Seven Thousand) per month as maintenance to the complainant till the disposal of the maintenance case, if any, or till the date of the re-marriage of the complainant in the bank account of the complainant which is as follows;

Name- Farheen Anjum

Bank Name - Bank of Baroda, Hariax

Account No.- 52528100015178

IFSC Code - BARBOHARIAX

7. Learned counsel for the complainant and learned



A.P.P. for the State have no objection in this regard.

8. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Araria in connection with Complaint Case No. 601C of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. The petitioner shall deposit Rs. 7,000/- by way of demand draft in favour of the complainant/Opposite Party No.2 at the time of furnishing bail bond and the learned Court below is directed to hand over the same in favour of the complainant or his representative and the petitioner shall pay Rs.7,000 per month regularly to the complainant/Opposite Party No.2 in her bank account and if the petitioner fails to pay the aforesaid maintenance amount to the complainant/Opposite Party No.2, the complainant/Opposite Party No.2 shall be at liberty to move before the learned Court below for cancellation of the bail bond of the petitioner.



ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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