

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46260 of 2024

Arising Out of PS. Case No.-547 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Abdul Salam @ Shaddam @ Md Abdul Salam Son of Late Md. Hazi Wasim
Qureshi Resident of Mohalla- Qureshi near Jama Masjid, Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Noor Fatma @ Rozi, Wife of Abdul Salam And Daughter of Md. Ekbal Qureshi @ Ekbal Nawab Resident of Mohalla- Kasab Tola, P.S- Ara Town, Dist- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-08-2024 1. Heard learned Counsel for the petitioner, learned Counsel for the informant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
2. The petitioner apprehends arrest in connection with Complaint Case No. 547 of 2023, in which cognizance has been taken under Sections 323/498-A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.
3. The allegation, as per the complaint case, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 01.12.2019 as per Muslim customs and Rs. 25 lacs cash and other articles were given as dowry. But after sometime, Opposite Party No. 2 was being tortured physically and



mentally for a demand of Rs. 15 lacs and a luxury car. Due to ill behaviour of the accused persons, Opposite Party No. 2 came back to her maika leaving all articles of dowry at her sasural.

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 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. 3,000/- 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. Regard being had to the submissions made by 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 privilege of anticipatory bail to the petitioner.

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, Civil Court, Ara, Bhojpur in connection with Complaint Case No. 547 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 September, 2024.

(Anil Kumar Sinha, J)

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