

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49190 of 2024**

Arising Out of PS. Case No.-1045 Year-2016 Thana- BHAGALPUR COMPLAINT CASE  
District- Bhagalpur

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Md. Zaheer Ahmad @ Md. Zaheer @ Zaheer Ahmad @ Md. Zahur Ahmad  
Son of Md. Anasul Alam R/o Village- Ujani Pokhariya Tola, P.S.-  
Naugachia, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Jahana Wife of Md. Zaheer Ahmad, D/o Md. Sahabuddin R/o Village-  
Soldhariya Khaira, P.S. Shahkund, District- Bhagalpur

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                    |
|--------------------------|---|------------------------------------|
| For the Petitioner/s     | : | Mr. Rajesh Kumar, Advocate         |
| For the Opposite Party/s | : | Mr. Ram Priya Sharan Singh, APP    |
| For the Complainant      | : | Mr. Dharmendra Kr. Gupta, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      19-11-2024              Heard learned counsel for the petitioner, learned APP for  
the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Section 498(A),  
323 of the IPC and 3/4 of D.P. Act.

3. Petitioner, who is husband of complainant, is said to  
have tortured and ousted her from the matrimonial home in  
association of his family members over the dowry demand of  
Rs. 1,00,000/- and one motorcycle.

4. It is submitted by learned counsel for the petitioner  
that the petitioner is an innocent person and has committed no



offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. Complainant never wanted to live with the petitioner and always abuse him. Complainant and her father are in habit to file false case one by one. He is still ready to keep her with full honour and dignity. The petitioner has relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar**, reported in **2006 (3) PLJR 182**.

5. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 1045 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. Petitioner is ready to pay Rs.4,000.00 (Rupees Four Thousand) per month to the complainant in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, complainant shall be at liberty to



move before the learned Court below for cancelling the bail bond of the petitioner.

7. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

8. Learned counsel for the complainant is directed to furnish the bank account details of the complainant in the learned Court below. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details.

9. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

10. With the aforesaid observation and direction, this application stands disposed of.

**(Anjani Kumar Sharan, J)**

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