

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58297 of 2024

Arising Out of PS. Case No.-155 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Md. Shahjad son of Md. Murtuja Village- Mainpura Badi Haweli, Near Kali
Mandir Ps- Danapur Dist- Patna Petitioner/s

Versus

1. The State of Bihar
2. Neha Praveen wife of Md. Shahjad, D/o- Md. Murtuza Mohalla- Naujarkatra
Diwan Moh- Ps- Khajekalan Dist- Patna Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 16-12-2024

Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 155 of 2022 registered for the offence punishable under Sections 498(A) of the Indian Penal Code.

3. The prosecution case, in short, is that the marriage of the petitioner was solemnized with opposite party no. 2 (complainant). The complainant alleged that petitioner along with other accused persons started torturing her for dowry of Rs. 2 lakhs and further alleged that petitioner along with other accused persons assaulted her and drove her out from the matrimonial house.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner as alleged and he has falsely been implicated in this case. He next



submits the allegation of demand of dowry is totally false as the same has been levelled in order to harass the petitioner and his family. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family, the petitioner undertakes to pay a sum of Rs. 3,000/- per month to the Opposite Party No. 2 as “living cost”.

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 one week 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 anticipatory bail to the petitioner.

7. 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 anticipatory bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned court of S.D.J.M., Patnacity, Patna in connection with Complaint Case No. 155 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) The petitioner shall deposit a sum of Rs. 3,000/- per month in the bank account of Opposite Party No. 2 positively by the 1st week of every month starting from the month of January, 2025. The first installment shall be paid by 20th January, 2025.

(ii) In the event, the petitioner does not pay the monthly maintenance, as agreed, for two consecutive months, the O.P. No. 2 shall be at liberty to file an application before the court below seeking cancellation of the his bail and the court below shall pass appropriate order in accordance with law.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

