

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50978 of 2024

Arising Out of PS. Case No.-226 Year-2023 Thana- COMPLAINT CASE District- Supaul

MD. SAMIM SON OF MD. SAMSER @ MD. SHAMSHER RESIDENT OF
MUHALLA - CHAKLA NIRMALI (WARD NO. - 26), P.S. - SUPAUL,
DISTRICT - SUPAUL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ABIROON KHATOON WIFE OF MD. SAMIM, DAUGHTER OF MD.
KAILU RESIDENT OF VILLAGE - BAGHLA, PANCHAYAT -
BAGHANGAMA (WARD NO.-03), P.S. - TRIVENIGANJ, DISTRICT -
SUPAUL

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 11-11-2024 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 his arrest in connection
with Complaint Case No. 226(C) of 2023, registered for the
offences punishable under Sections 323, 379, 498-A, 504 of the
Indian Penal Code.
3. The allegation, as per the complaint, is that
marriage of the Opposite Party No. 2 was solemnized with the
petitioner on 15.03.2019 and at the time of marriage, sufficient
dowry was given. But after sometime, husband and in-laws of



opposite party no. 2 started torturing her and demanding dowry of Rs. 2 lacs and one motorcycle. A Panchayati was also held but the petitioner and his family members did not adhere to the verdict of Panches. It is also alleged that the petitioner has solemnized second marriage and opposite party no. 2 is not allowed to reside at 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 and/ or the matrimonial case, if any, pending and/ or decided between the parties.

5. Learned Counsel for the complainant-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 on behalf of 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 Judicial Magistrate- 1st class, Supaul, in connection with Complaint Case No. 226(C) 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 December, 2024.

(Anil Kumar Sinha, J)

rinkee/-

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

