

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55359 of 2024

Arising Out of PS. Case No.-969 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Md. Faiyaz Alam, Son of Late Md. Shahabuddin Ansari @ Shahabuddin
Ansari Resident of Village - Natka Kuan, P.S. - Bihta, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reshma Parveen, Wife of Md. Faiyaz Alam (daughter Of Md. Alauddin)
Resident of Village - Navhi, P.S. - Naubatpur, District - Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Mahboob Ashraf, Advocate
For the Opposite Party/s	:	Ms. Asha Devi, APP
For the Complainant	:	Mr. Bhola Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 969(c) of 2022 instituted under
Sections 498A of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

3. As per the complaint case, the petitioner along with
the other co-accused persons have tortured the complainant for
dowry demand and the Court below has taken cognizance under
Section 498A and Section 3/4 of the Dowry Prohibition Act.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this



case. He further submits that the petitioner is the husband of the complainant and he and his family members have never demanded any dowry nor tortured the complainant as alleged. Learned counsel also submits that the petitioner wants to keep the complainant along with two daughters but due to some matrimonial dispute, the complainant does not want to live with the petitioner at this stage. He further submits that the petitioner undertakes to make the payment of Rs. 5,000-/ per month to the complainant for her maintenance purpose. The petitioner has no criminal antecedent and he undertakes to co-operate in the trial.

5. Learned counsel for the complainant submits that the complainant is paralyzed and she is in a miserable condition. The complainant wants to live with the petitioner but the petitioner has solemnized second marriage.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the



learned S.D.J.M. Danapur / Concerned Trial Court in connection with Complaint Case No. 969(c) of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and also under the following Conditions:-.

(i) The petitioner shall abide by undertaking that he will make payment of Rs. 5,000/- per month in the bank account of the complainant and the complainant shall provide account number to the petitioner.

(ii) If the petitioner violates his undertaking, the complainant shall file the application for cancellation of bail in the Court below.

8. If both the parties want to reconcile, the learned Trial Court may take steps for further mediation/conciliation between the parties.

(Sunil Dutta Mishra, J)

ashishkr/-

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

