

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56981 of 2024**

Arising Out of PS. Case No.-21 Year-2021 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Md. Shahbaz Alam Son of Md. Shakir R/O Vill.- Jorgama, Ward no. 03, P.s.-
Murliganj, Dist.- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Nagma Wife of Md. Shahbaz Alam D/O Md. Majlish R/O Vill.-
Hathionda, Ward no. 3, P.s.- Bihariganj, Dist.- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rupesh Kumar
For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-09-2024 1. Heard learned Counsel for the petitioner, learned Counsel
for the complainant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.
2. The petitioner apprehends his arrest in connection with
Complaint Case No. 21 of 2021, registered for the
offences punishable under Sections 323/498-A/504 of the
Indian Penal Code and Sections 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 30.04.2015 and at the time of



marriage the father of the complainant gave ornaments worth of Rs. 1,50,000 as gift. It has further been stated that after some time, the complainant was tortured by the petitioner and other family members and they started demanding a sum of Rs. 1,50,000/- and other articles as dowry. In the meanwhile, two child were born out of the wedlock. Afterwards, due to non-fulfillment of the said demand, the complainant was ousted from 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 as well as 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. 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 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 Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura, in connection with Complaint Case No. 21 of 2021.
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, staring from 10th
October, 2024.

(Anil Kumar Sinha, J)

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