

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60797 of 2023

Arising Out of PS. Case No.-1959 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MD. SHAHID SON OF EQUBAL VILAGE- DUBAILI, PS- DAGARWA,
DIST- PURNEA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RUKSHANA KHATON WIFE OF DAUGHTER OF MD. MANSOOR
VILLAGE- GHAT BARAILY, PS- AMOUR, DIST- PURNEA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda
For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 29-02-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.2. The petitioner apprehends his arrest in connection with Complaint Case No. 1959 of 2022, registered for the offences punishable under Sections 498-A of the Indian Penal Code.3. The allegation, as per the complaint, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 28.05.2019 and at the time of marriage the father of the informant gave Rs. 1,00,000/- cash, gold and silver ornaments and other household items as gift. It has further been stated that after some time family members |
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of the petitioner started demanding a sum of Rs. 2,00,000/- and a motorcylce as dowry. Due to non-fulfillment of the said demand, the informant was tortured physically and mentally and ultimately she 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 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 Judicial Magistrate 1st Class, Purnea, in connection with Complaint Case No. 1959 of 2022.
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, starting from 12th March, 2024.

(Anil Kumar Sinha, J)

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