

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63865 of 2024

Arising Out of PS. Case No.-2304 Year-2016 Thana- COMPLAINT CASE District- Araria

Md. Soib @ Sukvir S/O Md. Haroon R/O Village- Belahi, P.S- Bathnaha,
Distt.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sajroon @ Sajrun W/O Md. Soib @ Sukvir, D/O Md. Jubair R/O Village- Gogi Pothiya, P.S- Simraha, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-10-2024 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. 2304 C of 2016, registered for the offences punishable under Section 498-A of the Indian Penal Code and Sections 3 and 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 about eight years ago and at the time of marriage the parents of the complainant gave some gifts and she went to her matrimonial home. The complainant have two children from the petitioner. It has further been alleged that after some time, the complainant



was tortured by the petitioner and other family members and they started demanding a sum of Rs. 1,00,000/- as dowry. Due to non-fulfillment of the said demand, the complainant was ousted from her matrimonial home and subsequently the petitioner performed second marriage.

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, Araria, in connection with Complaint Case No. 2304 C of 2016

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 15th of October, 2024.

(Anil Kumar Sinha, J)

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