

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64685 of 2024**

Arising Out of PS. Case No.-2788 Year-2022 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Md. Nasim Alam @ Nasem Son of Md. Hasnain @ Md. Raja Resident of  
Village- Bathua , P.S. - Fulwariya, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubana Khatun Wife of Nasim Alam, Daughter of Hasmuddin Resident of  
Village- Bathua Bazar, P.S. - Fulwariya, District- Gopalganj. Current  
Maternal Address - Village - Govindapur, P.S. - Harsidhi, District - East  
Champaran

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                   |
|----------------------|---|-----------------------------------|
| For the Petitioner/s | : | Mr. Abhishek Ranjan, Advocate     |
| For the O.P. No.2    | : | Mr. Sunil Kumar No. III, Advocate |
| For the State        | : | Mr.Arun Kumar, APP                |

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

3      16-12-2024                      1.    Heard   Mr. Abhishek Ranjan learned counsel for  
the petitioner and   Mr.Arun Kumar, , learned APP for the State.

2.    The petitioner apprehends his arrest in connection  
with Complaint Case No. C-2788 of 2022 registered for the  
offence(s) punishable under Section(s) 498A of the Indian Penal  
Code.

3.    The main submissions advanced by the learned  
counsel for the petitioner are that the petitioner is fully ready to  
keep his wife (O.P. No.2) with full dignity and he also showed  
the same willingness before the trial court but it is the O.P. No.2  
who is not willing to lead a conjugal relationship with him and



the instant matter was referred to High Court Mediation Center for amicable settlement in between both the spouses and even then no solution has come out. It is further submitted that the marriage of the petitioner with O.P. No. 2 took place in the year 2017 and the complaint was filed by the O.P. No.2 in the year 2022 with the allegations of dowry demand and cruelty allegedly committed and made by the petitioner which is completely unbelievable. Learned counsel further submits that the petitioner is ready to give Rs. 3000/- (Rupees Three Thousand) per month to the O.P. No.2 for her and their daughter's maintenance.

4. Learned counsel appearing for the O.P. No. 2 has vehemently opposed the bail prayer of the petitioner but is ready to accept the petitioner's proposal as to aforesaid interim maintenance but the same may be adjusted in a maintenance proceeding in which a final order is to be passed in between both the spouses.

5. Having considered the above submissions, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on



anticipatory bail in connection with Complaint Case No. C-2788 of 2022 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. **with further condition:**

The petitioner shall pay Rs. 3,000/- (Rupees Three Thousand) per month to the O.P. No.2 for her maintenance and her daughter's maintenance as proposed by him and the said amount will be adjusted in the maintenance amount which is to be decided by a competent Court and further if the petitioner fails to pay the said maintenance amount to the O.P. No.2 for two months continuously then the learned trial court shall take strict action against the petitioner by canceling his bail bond.

**(Shailendra Singh, J)**

Rajiv/-

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