

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68037 of 2023

Arising Out of PS. Case No.-1604 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MOHAMMAD JAHAGIR S/O MOHAMMAD AHMAD RESIDENT OF
VILLAGE RAHMATGANJ POLICE STATION BHAWANIPUR, DIST-
PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SAFINA KHATOON DAUGHTER OF MD. SAPUL VILLAGE-
RAHMATGANJ, PS- BHAWANIPUR, DIST- PURNIA. AT PRESENT
RESIDENT OF VILLAGE- BHURKUNDA, PS- BHAWANIPUR, DIST-
PURNIA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Anis Akhtar
For the Opposite Party/s : Mr. Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 08-05-2024 1. Heard learned counsel for the petitioner and

learned APP for the State along with learned counsel appearing

on behalf of complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A of the
Indian Penal Code read with Sections 3 and 4 of the Dowry
Prohibition Act.

3. The learned counsel for the parties jointly
submitted that the case was referred for mediation, but then the
mediation proceedings failed.

4. The learned counsel for the petitioner submits that



the relationship in between the petitioner and the O.P. No. 2 has deteriorated to an extent where it is not possible to revive the conjugal relationship in the present case, but then with passage of time, the parties may reconcile. It is also submitted that no useful purpose would be served by sending the petitioner to jail as petitioner is willing to pay a maintenance of Rs. 5,000/- per month to the complainant which shall commence from 27.05.2024.

5. The learned counsel appearing on behalf of the complainant also submits that since petitioner is willing to pay a monthly maintenance of Rs. 5,000/-, as such, the complainant is not opposing the anticipatory bail of the petitioner. It is also submitted that he will *Whatsapp* the bank account number of the complainant on the *Whatsapp* number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance, as agreed, commences from 27.05.2024.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 1604 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail granted to the petitioner in the event if the petitioner does not deposit the amount of monthly maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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