

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70091 of 2024

Arising Out of PS. Case No.-11087 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Shabbir Ahmad S/O Moizuddin Ahmad Resident of Azad Nagar, Bagan
Shahi, P.S- Azad Nagar, District- Jamshedpur at East singbhum (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Afsha Fatma @ Afsha D/O Kaisar Abbas, W/O Shabbir Ahmad R/O
Baganshahi Azad Nagar Road No. 7, P.S- Azad Nagar, Dist.- Jamshedpur
(Jharkhand) Present R/O New Millat Colony Sector-3 Khagaul Road, P.S-
Phulwari sharif, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hafiz Shahbaz Arif
For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 323, 498A
of the Indian Penal Code.

3. Petitioner, who is husband of opposite party
no2., is said to have ousted the opposite party no.2 from her
matrimonial home in association of his family members over the
dowry demand.

4. Learned counsel for the petitioner submits that
the petitioner is an innocent person and has committed no
offence. Petitioner has neither made any dowry demand nor



drove her out of her matrimonial home nor tormented her over the demand of dowry. He submits that the complainant was pressurizing the petitioner to live separate from his old parents, since he did not yield to her unreasonable demands, a false and concocted case has been lodged against him and his family. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Patna Complaint Case No. 11087 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. Petitioner is ready to pay Rs.5,000/- (Rupees Five Thousand) per month to opposite party no.2 in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.



7. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

8. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

9. Learned court below is directed to issue notice to the informant for furnishing her bank account details. If she fails to furnish her bank account details the aforesaid amount will be deposited before the learned court below which will be released in favour of the informant after the informant furnishes her bank account details.

10. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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