

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69814 of 2023

Arising Out of PS. Case No.-312 Year-2022 Thana- KAKO District- Jehanabad

AAMIR KHAN S/O MD. SHAUKAT R/O MOHALLA- MAHMOOD
SHAH LANE DARIYAPUR, P.S- PIRBAHORE, DISTT.- PATNA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. FARHEEN FAUZIA W/O AAMIR KHAN AND D/O MUMTAZUL
HAQUE R/O KAKO, P.S- KAKO, DISTT.- JEHANABAD.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Arshad Jameel Hashmi, Adv.
For the Opposite Party/s :	Mr.Md. Anzarul Haque Sahara, APP. Md. Faiz Ahmad, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-03-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498 (A), 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of informant, is said to have tortured upon her physically and mentally and lastly ousted her from her matrimonial house in association of his family members over the dowry demand.

4. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and he has committed no offence. Petitioner has neither made any dowry demand nor



tormented her over the demand of dowry. All the allegations levelled against the petitioner are false and based on concocted facts. The real fact is that the informant herself does not want to reside in her matrimonial home. Petitioner is still ready to keep her with full honour and dignity. The petitioner has relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar**, reported in **2006 (3) PLJR 182**. He has no criminal antecedent, as mentioned in para 3 of the bail 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 Kako P.S. Case No. 312 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. 20,000.00 (Rupees Twenty Thousand) per month to the informant in the second week of every month. If the petitioner fails to pay the aforesaid



amount on two consecutive months, informant 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. Learned counsel for the informant is directed to furnish the bank account details of the informant. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details.

9. 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.

10. With the aforesaid observation and direction, this application stands allowed.

(Anjani Kumar Sharan, J)

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