

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73510 of 2022

Arising Out of PS. Case No.-2427 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SAIYAD SHAMSHAD ALAM @ GOP @ SAIYAD SHAMSHAD S/o
Saiyad Moinuddin R/o Village- Sonwal Tola Barkurwa, P.S.- Paharpur, Distt-
East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samrun Nesha W/o Saiyad Shamshad Alam @ Gop @ Saiyad Shamshad,
D/o Abdul Hafiz R/o Village- Siswa, Purvi, P.S.- Banjariya, Distt- East
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Tiwari
For the Opposite Party/s :	Mr. Narsingh Tanti
	Mr. Manoj Kumar Manoj

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

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

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. It is submitted by learned counsel for the petitioner 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 is still ready to keep her with full honour and dignity. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. *Per contra*, learned counsel for the opposite party no.2 submits that petitioner has solemnized second marriage and hence it is not possible to live with him. He further submits that the learned Court below has directed the petitioner to pay Rs.8000/- per month to opposite party no.2 but not a single penny has been paid by him.

6. 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 Complaint Case No.2427C/2018, Tr. No.1884 of 2022, subject to the condition as laid down under Section 438 (2) of the



Cr.P.C.

7. Opposite party no.2 is well advised to take appropriate steps in accordance with law for execution of the order passed in the maintenance case.

(Anjani Kumar Sharan, J)

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