

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73537 of 2023

Arising Out of PS. Case No.-610 Year-2023 Thana- MAJHAULIA District- West Champaran

NAWAZ SHARIF ALAM @ NAWAZ SHARIF S/O KAMRUL HASSAN
RESIDENT OF - WARD NO. 03, BATHNA, HARPUR, P.S.-MAJHAULIA,
DISTRICT - WEST CHAMPARAN – 845438 Petitioner/s
Versus

1. THE STATE OF BIHAR
2. RUHI SAGUFTA WIFE OF NAWAZ SHARIF ALAM @ NAWAZ SHARIF DAUGHTER OF MD. SHAKLEN, PRESENTLY RESIDENT OF VILLAGE - BARI TOLA, NEAR RAILWAY GUMTI, P.S. BETTIAH MUFASSIL (BANUCHAPPAR O.P.), DISTRICT - WEST CHAMPARAN - 845438.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 05-03-2024 1. Heard learned Counsel for the petitioner, learned Counsel for the informant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
2. The petitioner apprehends his arrest in connection with Majhauria PS Case No. 610 of 2023, registered for the offences punishable under Section 498(A), 323, 379/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.
3. The allegation, as per the First Information Report, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 05.02.2017 as per Muslim rituals. At the time of marriage, father of the informant gave an amount of Rs. 16 lacs cash as dowry along with utensils, clothes and ornaments. But after sometime, the petitioner and other family members started demanding Rs. 5 lacs. It is further alleged that petitioner and his family members tortured the informant mentally and physically due to non-fulfilment of dowry demand.



4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending and/ or decided between the parties.

5. Learned Counsel for the informant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 5,000/- per month in the bank account of the informant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner within ten days from today.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner, privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, West Champaran, Bettiah, in connection with Majhaulia PS
case no. 610 of 2023.

9. This is subject to the condition that the petitioner shall
deposit a sum of Rs. 5,000/- per month in the bank account of Opposite
Party No. 2 positively, starting from 20th March, 2024.

(Anil Kumar Sinha, J)

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