

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4775 of 2024

Arising Out of PS. Case No.-526 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Tarikh Anwar Son of Saifuddin R/o vill - Khokha Dakshin, P.S. - Srinagar, Distt. - Purnea
 2. Jahanur Khatoon W/o Tariq Anwar R/o vill - Khokha Dakshin, P.S. - Srinagar, Distt. - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arifa Khatoon W/o Tariq Anwar R/o vill - Khanaghat Islampur, P.S. - Kasba, Distt. - Purnia

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Singh
For the State	:	Mr. Suresh Prasad Singh
For the Complainant	:	Mr. Md. Fazle Karim

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-04-2024 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code.

3. Petitioner no. 1 is husband of opposite party no2. and petitioner no. 2 is second wife of petitioner no. 1, are 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 petitioners that the petitioners are an innocent person and have committed no offence. Petitioners have neither made any dowry demand nor drove her out of her matrimonial home nor



tormented her over the demand of dowry. The petitioners have relied upon the judgement 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**.

5. However, the petitioner no. 1 is ready to give Rs.3,000.00 (Rupees Three Thousand) per month to opposite party no.2 in first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding. If the petitioners fail to give the aforesaid amount on three consecutive dates to opposite party no.2, their bail bond shall automatically be cancelled.

6. Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide her bank account details to the petitioners within a period of two weeks by submitting the same on affidavit before the learned court below.

7. In that view of the matter, let the above named petitioners, be released on anticipatory bail, in the event of their 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) each 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. 526 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

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.

(Anjani Kumar Sharan, J)

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