

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3816 of 2024

Arising Out of PS. Case No.-2454 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Aman S/o Mustak Alam R/o Village- Bagnagar, P.S.- Mahalgaon, Distt- Araria
 2. Ansari Khatoon @ Ansari W/o Mustak Alam R/o Village- Bagnagar, P.S.- Mahalgaon, Distt- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nazrana Perween W/o Aman, D/o Jamaluddin R/o Village- Ahilgaon, P.S.- Jalalgarh, Distt- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Md Fazle Karim, Adv.
For the Opposite Party/s :	Mr.Umesh Lal Verma, APP.
	Mr. Md. Narul Hoda, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-04-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 498(A), 380 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have tortured upon the complainant physically and mentally and also ousted her from her matrimonial house in association of their family members over the dowry demand.

4. It is submitted by learned counsel for the petitioners



that the petitioners are innocent and they have committed no offence. Petitioner no.1 is husband of the complainant, whereas petitioner no.2 is mother-in-law of the complainant. Petitioners have neither made any dowry demand nor ousted the complainant from matrimonial house nor tormented her over the demand of dowry. All the allegations levelled against the petitioners are false and based on concocted facts. The real fact is that the complainant herself went to her parental house as she does not want to live with the petitioner no.1 and his family members. Petitioner no.1 is still ready to keep her wife with full honour and dignity. He 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**. Petitioners have no criminal antecedent, as mentioned in para 3 of the bail application.

5. Learned APP for the State as well as learned counsel for the complainant opposes the prayer for bail.

6. In that view of the matter, let the above named petitioners, be released on 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. 2454 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Petitioner no.1 is ready to pay Rs. 3,000.00 (Rupees Three Thousand) per month to the complainant in the second week of every month. If petitioner no1. fails to pay the aforesaid amount on two consecutive months, complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioners.

8. 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.

9. Learned counsel for the complainant is directed to furnish the bank account details of the complainant. 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 complainant after she furnishes her bank account details.

10. 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.



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

(Anjani Kumar Sharan, J)

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