

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4912 of 2025

Arising Out of PS. Case No.-1028 Year-2023 Thana- COMPLAINT CASE District- Araria

Md. Rahbar @ Rahbar Son of Late Latiful Resident of Village- Chakai, Ward
NO. 10, P.S.- Jokihat, Distt.- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Murshida D/o- Mustaque, Wife of Md. Rahbar Resident of Village- Chakai,
Ward NO. 10, P.S.- Jokihat, Distt.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Mukesh Kumar Rana, Adv.
For the Opposite Party/s :	Mr.Uday Pratap Singh, APP
	Mr.Gopal Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for complainant /
opposite party no. 2.

2. The petitioner who is husband of
complainant/opposite party no. 2, apprehends his arrest in a
complaint case punishable for the offences under Sections 323,
498(A) of the Indian Penal Code.

3. Petitioner is alleged to have committed torture and
harassment with opposite party no. 2 for dowry.

4. Learned counsel for the petitioner submits that
petitioner denies the allegation made in the complaint petition
and submits that he never committed torture to opposite party
no. 2 or demanded any dowry. However, the petitioner



undertakes to give Rs. 3,000/-per month by way of temporary relief/solace, starting from this month, to the opposite party no.2.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (Rupees three thousand) per month*** to the opposite party no. 2, in the event of arrest/surrender within a period of eight weeks from today, let the above-named petitioner be enlarged on bail on furnishing bail bond of ***Rs. 10,000/-*** (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Araria in connection with Complaint Case No. 1028-C/ of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

- “(1) Opposite party no. 2 would file an affidavit before the court below and bring on record her savings bank account number for its communication to the petitioner.
- (2) Petitioner would deposit the aforesaid amount per month in the savings bank account of the opposite party no. 2.
- (3) In case, the petitioner fails to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.



(4) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.”

(Prabhat Kumar Singh, J)

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