

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16597 of 2025

Arising Out of PS. Case No.-293 Year-2023 Thana- DHAKA District- East Champaran

Mohammad Ashraf Son of SK Khairai @ Khairati @ Sheikh Khairati R/O-
Village- Chain Pur , P.S-Dhaka , District-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarfuddin Son of Late Shekh Jalil Resident of Village- Gokhula, P.S.-
Banjariya, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Vijay Shankar Shrivastava, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP
For Opposite Party No.2	:	Mr. Karandeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-07-2025 Heard learned counsel appearing on behalf of the

petitioner, learned A.P.P. appearing on behalf of the State and

learned counsel appearing on behalf of Opposite Party No. 2.

2. Earlier, the matter was referred to Mediation and
Conciliation Centre, Patna High Court vide order dated
16.04.2025. However, it is submitted by learned counsel
appearing on behalf of the parties that dispute between the
parties could not be settled through the process of mediation.

3. The petitioner, husband of the daughter of
informant/Opposite Party No. 2, apprehends his arrest in a case
registered for the offence punishable under Sections 498A, 365
and 34 of the Indian Penal Code and Sections 3 and 4 of the



Dowry Prohibition Act.

4. As per prosecution case, marriage of daughter of informant was solemnized with this petitioner five years ago. It is alleged that thereafter, all the accused persons, including this petitioner, started demanding dowry and due to non-fulfillment of demand of dowry, daughter of informant was subjected to cruelty and harassment.

5. Learned counsel appearing on behalf of the petitioner submits that the petitioner denies the allegations made in the F.I.R.. He never committed torture upon daughter of informant/Opposite Party No. 2 or demanded any dowry. However, the petitioner undertakes to give Rs. 3,000/- (three thousand rupees) per month by way of temporary relief/solace, starting from this month, to the daughter of informant/Opposite Party No. 2. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

7. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (three thousand rupees) per month***



to the daughter of informant/Opposite Party No. 2, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, 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 S.D.J.M., Sikrahana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 293 of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S. with further following conditions:

“(A.) The daughter of informant/Opposite Party No. 2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid aforesaid amount per month in the saving bank account of the daughter of informant/Opposite Party No. 2 .

(C.) 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.

(D.) 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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