

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16890 of 2025

Arising Out of PS. Case No.-353 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Md. Chhotu @ Md. Riyajul @ Riyajul S/o- Md. Saukat @ Md. Shaukat
Village- Shahpur PS-Muffasil District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savina Khatoon @ Sabina Khatoon W/o- Md. Chhotu @ Md. Riyajul @
Riyajul, D/o- Md. Samid Village- Laduara Laraura, Mirjapur Chand Ps-
Barauni Dist- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sandip Kumar Gautam, Advocate
For the State	:	Mr. Zainul Abedin, APP
For Opposite Party No.2 :		Mr. Randhir Kumar No. 1, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-04-2025 Heard learned counsels for the parties.

2. The petitioner, husband of the complainant /Opposite Party No. 2, apprehends his arrest in a complaint case registered for the offence punishable under Sections 498A, 307, 313, 34 and 323 of the Indian Penal Code and Sections 3 and 4 of the Muslim Women Protection Act.

3. The case of the complainant, in brief, is that marriage of complainant was solemnized with this petitioner on 22.09.2014 as per Muslim rites and rituals and thereafter, all the accused persons, including this petitioner, started demanding dowry and due to non-fulfillment of demand of dowry,



complainant was subjected to cruelty and harassment.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner denies the allegations made in the complaint petition. He never committed torture to complainant/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 complainant/Opposite Party No. 2.

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

6. 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 complainant/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 Judicial Magistrate, 1st Class, Begusarai in connection with Complaint



Case No. 353 of 2024, subject to condition as laid down under
Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/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 complainant/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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