

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26912 of 2024

Arising Out of PS. Case No.-1173 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Md Imran @ Rajesh S/o Md. Sabo R/o Mohalla - Bari Dargah, Nawada, P.S. -
Nawada Town in the district of Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nazia Parveen W/o Md. Imran @ Rajesh, D/o Md. Mohsin R/o Mohalla -
Bari Dargah, Nawada, P.S. - Nawada Town in the district of Nawada At
present R/o Vill - Roh, P.S. - Roh in the district of Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Adv.
For the State	:	Mr. Pradeep Narain Kumar, APP.
For the Complainant	:	Mr. Pramod Kumar Verma, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 05-05-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498(A) of
the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

3. Vide order dated 16.12.2024, it would appear that
earlier the matter was referred to the Medication Centre, Patna
High Court for resolving the disputes between the parties. The
report received from the Mediation Centre, however, discloses
that the mediation process has failed.



4. The instant case arises out of the complaint filed by the complainant, wife of the petitioner, alleging therein that there was demand of Rs. 1 lac and the consequent torture upon her.

5. It is submitted by learned counsel for the petitioner that the allegations levelled against the petitioner are not correct and as a matter of fact, he had been ready to keep his wife with due dignity and honour, but it is the complainant who is not desirous of staying in her matrimonial house. The further submission is that a Panchayati was also held between the parties, but yet she left the house of the petitioner and started residing in the house of her parents.

6. Learned counsel for the complainant as well as learned APP for the State opposes the prayer for anticipatory bail and supports the allegations made in the complaint. At this stage, it has been pointed out by learned counsel appearing for the complainant that an agreement was being reached in the mediation proceedings to full and final settlement of the disputes for an amount of Rs. 75,000/- which could not fructify as the petitioner was unable to pay the same. However, it is expected that the petitioner would be able to pay at least an amount of Rs.2000.00 (Rupees Two Thousand) per month to the complainant in the second week of every month for her



basic sustenance.

7. In such view of the matter, I am inclined to grant the privilege of anticipatory bail to the petitioner upon his agreement to pay an amount of Rs. 2,000/- per month to the complainant. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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, Nawada in connection with Complaint Case No. 1173 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

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 in the learned Court below. If the complainant 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. If the petitioner fails to pay the aforesaid amount on two consecutive months,



the complainant shall be at liberty to move before the learned
Court below for cancelling the bail bond of the petitioner.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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