

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31550 of 2024

Arising Out of PS. Case No.-56 Year-2023 Thana- MAHILA PS District- Aurangabad

Sikandar Raja Khan @ Sikandare Ajam @ Sikandar Azam S/o Md. Aslam
Khan R/O Mohall Karan Sarai Ward No 14 Po Sasaram Ps Sasaram T District
Rohtas Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rumana Khanam W/o Sikandar Raja Khan @ Sikandare Ajam @ Sikandar
Azam and D/o Md. Naseer Ahmad Presently residing at Mohalla Nawadih
Masjid Gali, P.O. - Aurangabad, P.s. - Aurangabad T, Distt. - Aurangabad,
Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tiwari Shwetketu, Adv.
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 13-02-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Mahila P.S. Case No. 56 of 2023 for the offence under Sections 341,323, 504, 506, 498(A), 34 of the I.P.C. and 3/4 of Dowry Prohibition Act.

3. As per the prosecution story, the informant has alleged that her marriage was solemnized according to Muslim Customs and rituals with the petitioner on 31.03.2019. After two months of marriage her husband went Saudi Arab and she spent



three years at her matrimonial house without her husband but he never gave any pocket money to her. When her husband returned from Saudi and she explained her condition then he started abusing and assaulting for demand of dowry and threatened that if she would not fulfill the demand of Rs. 10,000,00/- as dowry then he will marry with another girl.

4. Learned counsel for the petitioner submits that the petitioner is the husband of the informant. He is quite innocent and has committed no offence and have falsely been implicated in this case due to ulterior motive with a view to greediness on his property. It is also submitted that earlier brother of the petitioner, Ali Nawaj Khan has filed a complaint case no. 978(C) of 2023 against the father-in-law of petitioner and other co-accused persons.

5. Learned APP opposes the prayer for anticipatory bail.

6. During the course of argument, learned counsel for the petitioner submits that petitioner is ready to pay maintenance amount of Rs. 4,000/- per month which will be adjusted in the maintenance case filed by his wife.

7. Keeping in view the aforesaid facts, this court is inclined to enlarge the petitioner on bail.



8. Petitioner is directed to pay the two months installment in advance at the time of filing of bail bond.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah P.S. Case No. 618 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself.

(S. B. Pd. Singh, J)

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