

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28106 of 2025

Arising Out of PS. Case No.-1103 Year-2022 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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1. Tauhid Khan @ Thohid Kha Son of Md. Kutubuddin Khan @ Md.Qutubuddin Khan Resident of Village- Bahuara,, P.O. and P.S. Dildar Nagar, District- Ghazipur (U.P.)
 2. Kutubuddin Kha @ Md.Qutubuddin Khan Son of Late Iriyasad Khan @ Riyasat Resident of Village- Bahuara,, P.O. and P.S. Dildar Nagar, District- Ghazipur (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anwari Begum Wife of Tauhid Khan, D/O Abdul Mazid Khan Resident of Village- Bahuara, P.S.- Dildar Nagar, District- Ghazipur (U.P.) Presently Resident of Village- Kochas, Ward No.16, P.O. and P.S.- Kochas (Chhavani), District- Rohtas, Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Uma Kant Mishra, Advocate
For the Opposite Party/s :	Mr. Madhura Nand Jha, APP
	Mr. Dhaneshwar Prasad Gupta, Adv.for OP-2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-08-2025 Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed.

2. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the complainant / opposite party no. 2.

3. The petitioners apprehends their arrest in a complaint case punishable for the offences under Section 498(A) of the Indian Penal Code.



4. Petitioners are alleged to have committed torture and harassment with opposite party no. 2 for dowry.

5. Learned counsel for the petitioners submits that petitioner no. 1 is husband and petitioner no. 2 is father-in-law of opposite party no. 2 and they deny the allegation made in the complaint petition. He further submits that petitioners never committed torture to opposite party no. 2 or demanded any dowry. However, the husband of opposite party no. 2 i.e. petitioner no. 1 undertakes to give Rs. 3,000/- per month by way of temporary relief/solace, starting from this month, to the opposite party no.2.

6. In view of the undertaking of learned counsel for the petitioners that petitioner no. 1 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 petitioners be enlarged on bail on furnishing bail bond of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sasaram, Rohtas in connection with Complaint Case No. 1103 of 2022, 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 no. 1.
- (2) Petitioner no. 1 would deposit the aforesaid amount per month in the savings bank account of the opposite party no. 2.
- (3) In case, the petitioner no. 1 fails to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail-bonds of petitioners.
- (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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