

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41939 of 2024

Arising Out of PS. Case No.-514 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Md. Zulfekar @ Zulfekar Ali S/O Mohammad Shafik @ Mohd. Shafique R/o
Village- Budhaul, P.S.- Kasma, Distt- Aurangabad. Petitioner/s
Versus

1. The State of Bihar
2. Jaha Ara Khatoon W/O Md. Zulfekar @ Zulfekar Ali R/o Village- Baudhal,
P.S.- Kasma, Distt- Aurangabad. At present, R/o Village- Baturi, P.S.- Kasma,
Distt- Aurangabad. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Singh
For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 05-05-2025 The petitioner is present however, neither the opposite
party no. 2 nor her counsel is present today.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 323,
498A, 494, 379, 504, 506 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act. .

3. The prosecution case is based upon a complaint filed
by the opposite party no. 2 in which she has made an allegation
of demand of dowry and torture. Petitioner is the husband of
opposite party no.2.

4. Learned counsel for the petitioner has also submitted
that even during the mediation proceedings before the Patna
High Court Mediation Centre, the opposite party no. 2 was not
appearing and hence, it appears that she is not agreeable on any



kind of settlement to be reached between the parties.

5. The petitioner is the husband and the marriage is of the year 2003. The present case was lodged after 19 years of the marriage and there are three children born out of the wedlock.

6. The cause of the dispute between the parties was that the complainant was not ready to adjust with the petitioner's house with him and with his parents. Learned counsel for the petitioner submits and has also pointed out to paragraph-11 of the petition to show that out of the three children, two children namely Zafnillah and Nikhat Parveen are living with the petitioner and the youngest child namely, Md. Saquib is living with the complainant. He has also made a statement that the petitioner is ready to keep the complainant with full honour and dignity.

7. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint



Case No. 514 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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