

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46091 of 2024

Arising Out of PS. Case No.-2055 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Md. Noor Alam S/o Md. Majharul @ Shekh Majruddin R/o vill - Sabutar, P.S.
- K. Nagar, Distt. - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rijwana Praween D/o Late Zafar and W/o Md. Noor Alam R/o vill -
Sabutar, ward no. 07, P.S. - K. Nagar, Distt. - Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

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

7 28-02-2025 In pursuance to the order dated 21.02.2025 both

parties along with their respective advocates have appeared in

the Chamber proceeding.

2. The petitioner is apprehending his arrest in
connection with complainant Case No. 2055 of 2023 for the
offence under Sections 498A of the I.P.C. and Section 3/4 of the
Dowry Prohibition Act.

3. As per the prosecution story, the complainant has
alleged that earlier, the petitioner has committed rape upon her
and the case was registered in connection with K.Nagar P.S.
Case No. 198 of 2023. Thereafter, the case was compromised as
the petitioner solemnized marriage with the complainant on
15.02.2023. It is further alleged that after three months of



marriage, petitioner started assaulting and demanded Rs. 2,000,00/- from her as dowry. Thereafter, her brother-in-law and sister-in-law threatened to kill her and throw her body as she has no parents alive.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and he has not committed any offence and he has falsely been implicated in this case due to family feud and *mala fide* intention. Petitioner has never demanded any kind of dowry from the complainant nor subjected her to any type of cruelty. Learned counsel further submits that the petitioner is ready to pay Rs. 3,000/- (Three Thousand) per month to his wife/complainant.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts and submissions made on behalf of the petitioner that he is ready to pay Rs. 3,000/- to his wife as maintenance, which *prima facie* shows his *bona fide* conduct, this Court is inclined to extend him the privilege of anticipatory bail.

7. Petitioner - Md. Noor Alam, is directed to pay the aforesaid amount by the 10th of each month and the same will be adjusted in future with reference to one time settlement between the parties.



8. 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 S.D.J.M., Purnea, in connection with complainant Case No. 2055 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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