

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46241 of 2024

Arising Out of PS. Case No.-615 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Mariyam Bibi W/o Md. Ilyas R/o vill - Sirpur, P.S. - Cheriabariyarpur, Distt. - Begusarai
 2. Md. Ilyas @ Md. Elyas Miya S/o Late Md. Noor Mohammad R/o vill - Sirpur, P.S. - Cheriabariyarpur, Distt. - Begusarai
 3. Md. Imran S/o Md. Ilyas R/o vill - Sirpur, P.S. - Cheriabariyarpur, Distt. - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Salma Khatoon W/o Late Md. Rabban Marhum @ Late Md. Rawan @ Late Md. Raban, D/o Md. Amzad R/o vill - Suja Tola, P.S. - Muffasil, Distt. - Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pramod Kumar Verma, Adv.
For the Opposite Party/s :	Mr. Damodar Prasad Tiwary, APP
	Mr. Sandip Kumar Gautam, Adv. for OP-2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-07-2025 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 apprehend their arrest in a complaint case punishable for the offences under Section 498(A) of the Indian Penal Code.



4. Petitioner no. 1 is mother-in-law, petitioner no. 2 is father-in-law and petitioner no. 3 is brother-in-law of opposite party no. 2 and they are alleged to have committed torture and harassment to opposite party no. 2 for dowry and finally, ousted her with her husband from the house. Later on, husband of opposite party no. 2 (also son of petitioner no. 1 & 2) also died.

5. Learned counsel for the petitioners submits that petitioners deny the allegation made in the complaint petition and submits that petitioners never committed torture to opposite party no. 2 or demanded any dowry. However, the petitioners undertake 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 petitioners are 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 bonds of **Rs. 10,000/- (ten thousand)** each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Begusarai in connection with Complaint Case No. 615-C 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 petitioners.
- (2) Petitioners would deposit the aforesaid amount per month in the savings bank account of the opposite party no. 2.
- (3) In case, the petitioners fail to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.
- (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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