

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51756 of 2024

Arising Out of PS. Case No.-95 Year-2023 Thana- COMPLAINT CASE District- Supaul

Md. Jalaluddin Babar son of Shahabuddin Village- 54, Sundarpur Ps- iranpur
Dist- Pakur State- Jharkhand

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Mariya Praveen wife of Md. Jalaluddin Babar, D/o- Sarfaraj Alam Mohalla-
Patel Chowk w.No-26, Ps Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Murari Narain Chaudhary, Adv. Mr. Vijay Kumar, Adv.
For the State	:	Mr. Ajay Kumar No. 2, APP.
For the Complainant	:	Ms. Pratibha Srivastava, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

8 13-05-2025 The petitioner and the complainant are present along with
their respective counsels in the Chambers proceedings.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. The instant case arises out of the complaint filed by the complainant, wife of the petitioner, alleging therein that there was demand of dowry and the consequent torture upon her.

4. The matter had been referred earlier to the Mediation and Conciliation Centre, Patna High Court for resolution of the disputes between the parties, but the mediation process failed.



5. Learned counsel for the petitioner submits that the allegations levelled against the petitioner are not correct and as a matter of fact, the petitioner has always been ready to take his wife along with him and keep her with due dignity and honour, but it is the complainant who is not desirous of staying in her matrimonial house with the petitioner.

6. Learned counsel appearing for the complainant along with the complainant herself controverts the submissions made on behalf of the petitioner supporting the allegations levelled against him.

7. After a brief interaction with the parties, it appears that final resolution of disputes between them is not possible at this stage. However, the petitioner, who is present in person, makes an offer that he would make the payment of Rs.3000.00/- (Rupees Three Thousand) per month to the complainant in the second week of every month to which learned counsel for the complainant and the complainant herself agrees.

8. Considering the facts and circumstances of the case, 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. 95C of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

9. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

10. Learned counsel for the complainant is directed to furnish the bank account details of the complainant in the learned Court below. If the complainant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

divyanshi/-

U		T	
---	--	---	--

