

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50531 of 2024

Arising Out of PS. Case No.-1099 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Akbar Quraishi @ Md. Akbar Quraishi Son of Md. Kalam Koraishi @ Kalam Koraishi Resident of Village - Mugrain, P.S.- Amas, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bilkis Bano Wife of Akbar Quraishi D/O- Md. Husain, Resident of Village - Mugrain, P.S.- Amas, Distt.- Gaya, At present Resident of Village - Rasulganj, P.S.- Kasma, Distt.- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

For the O.P. No.2 : Mr. Shailesh Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

7 01-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

2. The petitioner apprehends his arrest for the offence punishable under Sections 313, 380 and 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The petitioner is the husband and the allegation is of demand of dowry and torture.

4. It is submitted by learned counsel for the petitioner that the allegations levelled in the complaint petition are not correct. As a matter of fact, the petitioner is always ready to keep with him with due dignity and honor and continue with



the matrimonial relationship. It is further submitted that the petitioner had filed a case for restitution of conjugal rights, bearing Matrimonial Cease No.333 of 2023, which has been annexed as Annexure-2 to this application.

5. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no.2 on the allegations made in the complaint petition.

6. At this stage, the petitioner offers to give Rs.3000/- (Rupees Three Thousand) per month to opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

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 in connection with Complaint Case No.1099 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the



petitioner shall cooperate in the investigation/trial.

8. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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