

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53399 of 2024

Arising Out of PS. Case No.-12 Year-2020 Thana- MAHILA P.S District- Supaul

Md. Samim @ Mohammad Shamim Son of Mohammad Mustakim R/O Vill.-
Sohta, P.s.- Chhatapur, Dist.- Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Saphina Khatoon Wife of Md. Samim R/O Vill.- Belsandhi, P.s.- Narpatganj,
Dist.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

10 24-06-2025 Heard learned counsel for the petitioner and learned
counsel for the OP.No.2 learned counsel for the state.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under sections 323, 341, 498A, 494,
504, 506/34 498A of the Indian Penal Code.

3. The case is one under section 498A and the
petitioner is husband. The complaint case discloses an allegation
of demand of dowry and torture.

4. The matter has been referred to Mediation Center
for amicable settlement but the mediation process failed.

5. Learned counsel for the petitioner submits that the
allegations made in the FIR is not correct and as a matter of fact,



the petitioner is still ready to keep his wife with full honour and dignity but it was OP.No.2, who was not willing to stay with the petitioner. The petitioner was ready for one time settlement but even that could not be materialized.

6. The learned counsel for the O.P.No. 2 however opposes the bail and supports the allegation made in the FIR and submits that there is one minor son who is staying along with the OP.No. 2.

7. At this stage, the learned counsel for the petitioner makes an offer to pay a sum of Rs. 35,00/- per month to the complainant subject to final outcome of any maintenance or collateral proceeding.

8. Considering all the above mentioned facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner. accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (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 Mahila P.S (Supaul) Case No. 12 of 2020, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the



petitioner shall co-operate in investigation/ trial.

9. Learned counsel for the O.P.No. 2 under instruction, submits that she undertakes to provide her bank account details to the petitioner within a period of two weeks from today, if the O.P.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 O.P.No.2, the O.P.No.2 would be at liberty to file cancellation of bail .

(Soni Shrivastava, J)

N.K/-

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

