

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56576 of 2024

Arising Out of PS. Case No.-1264 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

Md. Mahfooz Alam Son Of Late Abid Hussain Village- Sihe, Ward No. 13,
Ps- Supaul, Dist- Supaul Petitioner/s

Versus

1. The State of Bihar
2. Sabia Naz @ Ginni Wife Of Md. Mahfooz Alam Village- Islamia Chauk,
Gangjala Ward No. 17, Ps- Saharsa, Dist- Saharsa Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Balkrishna Mishra
For the Opposite Party/s :	Mr. Shailendra Kumar Singh
	Dr. Amitesh Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

9 13-08-2025 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 in a case registered
for the offence punishable under Section 498A of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. By an earlier order, the matter had been sent to the
Patna High Court Mediation and Conciliation Centre for
resolution of disputes between the parties but the same has also
failed.

4. The prosecution case is based upon a complaint filed
by the opposite party no. 2 in which she has made an allegation of
demand of dowry and torture. Petitioner is the husband of
opposite party no.2.

5. Today, it has been submitted on behalf of the counsels
for both the sides that an amount of Rs. 9,00,000/- in total was



agreed between them to be paid by the petitioner to the opposite party no. 2, out of which Rs. 25,000/- has already been paid during mediation process. Hence, Rs. 3,75,000/- is agreed to be deposited in the account of opposite party no. 2, while Rs. 5,00,000/- would be deposited for the daughter as a fix deposit. The learned counsel appearing for the opposite party no. 2 also agrees to such arrangement which would act as a full and final settlement of the dispute and all litigation between the parties.

6. In such view of the matter, let the above named petitioner, be released on provisional bail upon payment of an amount of Rs. 3,75,000/-, in the event of his arrest or surrender before the learned Court below within a period of six 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. 1264-C of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

7. However, at the time of accepting the bail bonds, the learned court below shall ensure the fact that the payment of Rs. 3,75,000/- has been made to the opposite party no. 2.



8. Further, the remaining amount of Rs. 5,00,000/- would be deposited within a further period of two months, in the account of the opposite party no. 2 to be deposited as fix deposit in the name of the daughter of the petitioner and the opposite party no. 2 which shall be withdrawn only upon the daughter attaining the majority. The provisional bail granted to the petitioner would only be confirmed by the learned court concerned upon proof of payment of the remaining amount of Rs. 5,00,000/- within the stipulated period of two months. In case the said payment is not made within the stipulated period, the provisional bail granted to the petitioner shall stand vacated. Further, it is also undertaken by the learned counsel for the opposite party no. 2 that she will initiate the process of withdrawal of all litigations filed against the petitioner and his family in the intervening period of two months and after payment of Rs. 5,00,000/-, withdrawal process would be completed. It goes without saying that in case both the parties are not agreeable to stay with each other they would file an application for getting their marriage dissolved.

(Soni Shrivastava, J)

devendra/-

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

