

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57812 of 2024

Arising Out of PS. Case No.-268 Year-2023 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Md. Diljan son of Md. Alijan village- Ward no. 07, kishnipatti, Ps- Ghoghardiha, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afsana khatoon wife of Md. Diljan Village- kishnipatti, Ps- Ghoghardiha, Dist- Madhubani At P/A- Daughter of Abdul Majid, Village- Dwaram, Ps- Fulparas, Dist- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 27-03-2025 In compliance of the earlier order dated 25.02.2025, both the parties along with their respective lawyers are present in Chamber proceeding.

2. Heard learned counsel for the petitioner, learned counsel appearing on behalf of the informant and learned APP for the State.

3. The petitioner is apprehending his arrest in connection with C.R. No. 268 of 2023 for the offence under Sections 494, 498A and 34 of the I.P.C. and Section 4 of the Dowry Prohibition Act.

4. It is a case of matrimonial dispute between both the parties. In which there is allegation on the petitioner of abusing



and assaulting the complainant for demand of dowry.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the F.I.R. The petitioner has falsely been implicated in this case due to dirty village politics. Nothing has been happened as alleged in the F.I.R. The petitioner was not present at the spot. The whole prosecution story is false, fabricated and concocted. Petitioner is poor husband of complainant and petitioner has never demanded any dowry or tortured the complainant at all.

6. During the course of argument, learned counsel for the petitioner submits that petitioner is ready to pay Rs. 2,000/- (Two Thousand) per month for her maintenance and he is also ready to file an affidavit regarding the payment of aforesaid amount in the Trial Court/Court below to show his *bona fide* conduct.

7. Keeping in view the aforesaid facts, and considering the submissions made by learned counsel for the petitioner, this Court is inclined to enlarge the petitioner on privilege of anticipatory bail.

8. The above amount of maintenance will be adjusted in any future order regarding maintenance passed by any competent Court. Petitioner will pay the aforesaid maintenance



amount in advance for two months in the bank account of the O.P. No. 2 at the time of furnishing the bail bond and the details of bank account will be furnished by the informant as soon as possible.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani, in connection with C.R. No. 268 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

10. Accordingly, the instant application stands disposed of.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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