

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65749 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Mohammad Faraz Akhtar @ Faraz Akhtar @ Mohammad Faraz S/o Akhtar Hussain Resident Patthar Ki Masjid, ward No 51, Dargah Road, Ps- Sultanganj, PO- Mahendru, PS- Sultanganj, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ujma Khurshid W/o Mohammad Faraz, D/o Khurshid Alam R/o Mohalla - Agarwa, ward no. 35, P.S. - Nagar Motihari, Distt. - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Fahar Imran, Adv.
For the Opposite Party/s : Mr. Manish Dhari Singh, Adv.

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

3 20-03-2025 Heard learned counsel for the petitioner,

learned counsel for the complainant and learned APP for

the State.

2. The instant application for anticipatory bail

has been filed by the petitioner apprehending his arrest in

a case instituted for the offence punishable under

Sections 323, 341, 498(A) of the Indian Penal Code and

Section 3/4 of Dowry Prohibition Act.

3. The prosecution's case, in brief, is that the

complainant's marriage with the petitioner was



solemnized in 2020 in accordance with Muslim rites and rituals. It is further alleged that at the time of marriage, her father bestowed gifts worth ₹40,00,000/- (forty lakh rupees) and provided an additional ₹10,00,000/- (ten lakh rupees) as dowry to the petitioner. In 2023, the petitioner allegedly demanded ₹15,00,000/- (fifteen lakh rupees), of which the complainant's father gave ₹10,00,000/- (ten lakh rupees). After some time, the petitioner made further monetary demands, which the complainant refused. Upon her refusal, the petitioner's family allegedly subjected her to mental and physical harassment, seized all her belongings, and forcibly ousted her from her matrimonial home.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted that complainant herself left the matrimonial house without any cogent reason. It is further submitted that earlier Maintenance Case No. 46 of 2024 was filed by the



complainant (wife of petitioner ie. O.P. No. 2) in which Rs. 7,000/- (seven thousand rupees) per month was awarded in her favour and petitioner is regularly paying that amount since February, 2025. Moreover, it is also submitted that petitioner will undertake to deposit the amount every month, without fail, regarding which he will file undertaking before the trial Court.

5. Learned A.P.P. for the State and learned counsel for the complainant have vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 54 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to



the satisfaction of concerned Court, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. Petitioner is directed to make payment of two months in advance as maintenance amount in the account of O.P. No. 2, which will be furnished by her to him.

(S. B. Pd. Singh, J)

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