

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62349 of 2024

Arising Out of PS. Case No.-2011 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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SAUD ALAM Son of Md. Musa Resident of village - Durgapur Zahur
Mandal Tola, P.S.- Barari, District - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahnaj Khatun Wife of Saud Alam Daughter of Md. Alam, Resident of
Village - Anarkali, P.S.- Barari, District - Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

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

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

ORAL ORDER

4 17-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Complaint Case No. 2011 of 2022 instituted for
the offence under Sections 323, 307, 504, 506, 498(A), 120(B)
of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

3. As per allegation in the FIR, complainant was
married to the petitioner in the year 2020 as per Muslim Rites
and as per capacity, informant's parents have given cash and
other articles. After six months of marriage, petitioner started



torturing his wife physically and mentally due to non-fulfillment Rs. Five lac. Ultimately in the year 2022, petitioner with his family members ousted her with her lap child from matrimonial home.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Entire allegation levelled in the complaint petition is false and ornamental. Petitioner is still ready to keep his wife and child with proper honour and dignity.

5. In the alternate, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rs. 3,000/-(three thousand) as an interim maintenance to the complainant, subject to furnishing bank account number by the complainant to the petitioner.

6. As per submission given by the petitioner, he will start monthly payment of Rs. 3,000/- to the informant from the date of receipt of this order.

7. Having heard learned counsel for the parties and considering the fact that petitioner is ready to make monthly payment of Rs. 3,000/- to his wife, which shows bonafide act of the petitioner, 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 C.A. Case No. 2011 of 2022, 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 learned SDJM, Katihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

8. The aforesaid payment will be subject to adjudication any order passed in the maintenance case for final settlement.

(S. B. Pd. Singh, J)

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