

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64219 of 2023

Arising Out of PS. Case No.-138 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

MD. AJAUL SON OF LATE ALI HASAN RESIDENT OF VILLAGE-
NAWKOTHI, BISHANPUR, PS- NAWKOTHI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KAMRUN KHATOON WIFE OF MD. AJAUL RESIDENT OF VILLAGE-
NAWKOTHI, BISHANPUR, PS- NAWKOTHI, DISTRICT- BEGUSARAI

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Yadav, Advocate
For the State	:	Mr. Mukesh Kumar Singh, APP
For the O.P. No.2	:	Mr. Sandip Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 05-06-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no.2.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Begusarai Complaint Case no.138 of 2018, registered
under sections 307, 498A, 406, 323 and 379 of the Indian Penal
Code and sections 3/4 of D.P. Act.

3. As per the prosecution case, the petitioner was
married to the complainant in the year 2011. It is stated that six
months after the marriage, the accused persons including the



petitioner herein who happens to be the husband of the complainant started to torture her for non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the complainant. He had always been ready to keep the opposite party no.2 with full dignity and honour however inspite of all attempts, the matter could not be settled. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the opposite party no.2. Learned counsel for the opposite party no.2 submits that the matter had been sent to the mediation centre for amicable settlement between the parties. The parties arrived at a settlement, however the petitioner was not ready to abide by same. The complainant has been left in a lurch and has been residing at her parent's place. It is further stated that a child is also there out of the wedlock and some maintenance be given.

6. In response it is submitted by learned counsel for the petitioner that as per his instructions a maintenance case has already been filed by the opposite party no.2 and the petitioner undertakes to cooperate in the said maintenance case by abiding



by the orders passed therein.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the complaint together with the contents of the petition, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Begusarai Complaint Case no.138 of 2018 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 S.D.J.M. Begusarai.

(Partha Sarthy, J)

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