

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66075 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- KATIHAR NAGAR District- Katihar

Asif Mansoori @ Md. Asif Mansoori S/o- Md. Aziz Mansoori @ Md. Aziz
Resident of Mohalla- Mahmood Chowk PS- Katihar District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Doli Sitara Wife of Md. Asif, D/o- Md. Aziz Mansoori Moh- Mahmood Chowk, Ps- Nagar Dist- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Musowir

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 13-05-2025 The petitioner and the opposite party no. 2 are present along with their respective counsels. After a brief interaction, it appears that the matter cannot be resolved finally at this stage.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 498A/34 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 an FIR lodged



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. Learned counsel for the petitioner submits that the allegations levelled in the FIR are not correct and as a matter of fact, it is the opposite party no. 2 who has been imputing serious allegations of illicit relationship etc. against the husband due to which it is difficult for them to stay together. It is also an admitted fact that the opposite party no. 2 is staying in the ancestral house of the petitioner and the petitioner undertakes that he would not disturb her from staying in the said house.

6. Further, the learned counsel appearing for opposite party no. 2 has drawn the attention of the Court to the fact that a maintenance of Rs. 4000/- per month to the wife and Rs. 2000/- per month to the daughter has been fixed vide order dated 23.02.2024 passed in Maintenance Case No. 70 of 2023 by the learned Principal Judge, Family Court Katihar and the petitioner out of the arrears amount has only paid an amount of Rs. 20,000/- to the opposite party no. 2 and the rest of the arrears is still to be paid.

7. The petitioner agrees to pay a total amount of Rs.



6000/- per month to opposite party no.2 in the first week of every month and would gradually even pay back the arrears amount.

8. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 Katihar (Nagar) P.S. Case No. 81 of 2023, 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.

9. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of



bail.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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