

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70628 of 2024

Arising Out of PS. Case No.-441 Year-2024 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Md. Mahmud Alam @ Mahmood Alam Son of Md. Hasim Ansari @ Hasim Ansari village -Kachanpur/kanchanpur, P.S -Narari kala Khurd, District -Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jainab Parween Wife of Md. Mahmud Alam village -Kachanpur/kanchanpur, P.S -Narari kala Khurd, District -Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Mukul Kumari, Advocate
For the O.P. No.2	:	Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 16-06-2025 Heard learned counsel for the petitioner, learned counsel for the opposite party no.2 and learned APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Sections 498A and 379 of the Indian Penal Code, Section 3/4 of the Dowry Prohibition Act and Section 4 of the Muslim Woman (Protection of Rights on Marriage) Act, 2019.

3. The prosecution case is based upon the complaint petition in which allegation of demand of dowry and torture has been made. The petitioner is the husband and there is allegation



of demand of dowry and torture.

4. It is submitted by learned counsel for the petitioner that the allegations made in the complaint are totally false. It is further submitted that from perusal of the complaint petition, it would appear that the petitioner has given divorce to the opposite party no.2 by citing of three talak and, thereafter, the opposite party no.2 has lodged this complaint case only to harass the petitioner. However, the petitioner is ready to keep the complainant/ opposite party no.2 in his house with full honour and dignity.

5. At this stage, the petitioner offers to give Rs.4,000/- (Rupees Four Thousand) per month to the opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceedings.

6. 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 bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is



pending/successor Court in connection with Complaint Case No.441 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Learned counsel for the opposite party no.2 is directed to make available the bank account details of opposite party no.2 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 would be at liberty to file an application for cancellation of bail bonds of the petitioner.

8. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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