

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75635 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Saklain Mustak @ Saqlain Mushtaque Son of Md. Sabir @ Md. Sabeer
Resident of Village - Jagnathpur, P.O. - Chanaur, P.S. - Manigachhi, District -
Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jeenat Praveen @ Jinnat Praveen Wife of Saklain Mustak @ Saqlain Mushtaque Resident of Village - Jagnathpur, P.O. - Chanaur, P.S. - Manigachhi, District - Darbhanga, at present daughter of Md. Masso, Village - Shahpur Ojhaul, P.S. - Bahadurpur, District - Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Manish Kumar No 13, Advocate
For the State	:	Mr. Amitesh Kumar, APP
For Opposite Party No.2 :		Md. Ghulam Mustafa, Advocate
		Mr. Deepak Kumar, Advocate
		Mr. Padbhnay Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-01-2025 Heard learned counsels for the parties.

2. The petitioner, husband of the
complainant/Opposite Party No. 2, apprehends his arrest in a
complaint case registered for the offence punishable under
Sections 323, 498A and 34 of the Indian Penal Code and Section
4 of the Dowry Prohibition Act.

3. Allegation against the petitioner is of matrimonial
cruelty and of demand of dowry.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner denies that allegations



made in the complaint petition. He never committed torture to complainant/Opposite Party No. 2 or demanded any dowry. However, the petitioner undertakes to give Rs. 3,000/- (three thousand rupees) per month by way of temporary relief/solace, starting from this month, to the complainant/Opposite Party No. 2.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (three thousand rupees) per month to complainant/Opposite Party No. 2***, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga, in connection with Complaint Case No. 49 of 2024, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/Opposite Party No. 2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid aforesaid amount per month in the saving bank account



of the complainant/Opposite Party No. 2 .

(C.) In case, the petitioner fails to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail bond.

(D.) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.”

(Prabhat Kumar Singh, J)

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