

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81546 of 2024

Arising Out of PS. Case No.-56 Year-2023 Thana- COMPLAINT CASE District- Supaul

Abdul Kaiyum @ Md. Abdul Kaiyum Son of Late Kalimuddin Sah Resident of Ward No.3 Jhanjharpur, P.S. - Jhanjharpur, District - Madhubani, Pin Code - 847404

... .. Petitioner/s

Versus

1. The State of Bihar
2. Biwi Shahjahan Daughter of Md. Islam Resident of Sakin, Samda, Ward No.14, P.S. - Ratanpur, District - Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Purushottam Kumar
For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 29-04-2025 Heard learned counsel for the petitioner and learned APP for the State. Despite valid service of notice to O.P. No.2, she has not appeared in the present proceedings.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A and 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition.

3. Petitioner, who is husband of opposite party No.2, is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand. The prosecution case arises out of a complaint filed by O.P. No.2, making allegations of demand of dowry.



4. The learned counsel for the petitioner submits that the marriage had taken place 10 years back and false allegations of demand of dowry and torture have been made in the complaint case, whereas the fact of the matter is that the present dispute has arisen due to normal bickering between the husband and wife and household differences.

5. It would further appear from the statement on S.A. of the complainant that she is not totally averse to staying with the husband and rather stated that if he would keep her properly, she is still agreeable to staying with the petitioner.

6. Learned APP for the State opposes the prayer for anticipatory bail application.

7. Taking into consideration the facts and circumstances of the case and also the specific submission of the petitioner, made in paragraph 8 of his petition that he is ready to keep the complainant with full dignity and honor, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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., Birpur, in connection with Complaint Case No.56C of 2023, subject to the condition laid down under Section 438 (2)



of the Code of Criminal Procedure/Section 482 (2) of the
B.N.S.S., 2023 and subject to the further condition that the
petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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