

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85142 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- MAHILA PS District- Darbhanga

Md. Shahabuddin @ Mahboob Alam @ Mohammad Shahbuddin S/o Abdul Jabbar Resident of Village- Bhaluka, P.O.- Lalbagh, P.S- Sadar (Mabbi O.P.), now P.s. - Mabbi, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi amna w/o Md. Imran resident of village- Karkauli, p.s.- Sadar (Mabbi O.P) district- Darbhanga -846004

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mrs. Shama Sinha, Advocate
For the State	:	Mr. Arun Kumar, APP
For the O.P. No.2	:	Ms. Smiti Bharti, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 28-07-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest for the offences punishable under Sections 498A, 323, 379, 307, 504 and 506/34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

3. Petitioner is the husband of opposite party no.2. The allegation is of demand of dowry and torture. Mediation proceeding has failed.

4. It has been submitted by learned counsel for the petitioner that the allegations made in the complaint are totally false as the petitioner was not present on the alleged date of



occurrence rather he had left for abroad on 29.12.2022. The petitioner has also posed some allegations against opposite party no.2.

5. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no.2

6. At this stage, the petitioner offers to give Rs.3000/- (Rupees Three Thousand) per month to 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 proceeding.

7. 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 Darbhanga Mahila P.S. Case No.69 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.



8. 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.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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