

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85858 of 2024

Arising Out of PS. Case No.-2890 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Sajabul Hasan Khan S/O Late Serajul Khan R/O Village- Gad Bahuriya (Gad Bahuari), P.S- Palanwa, Distt.- East Champaran. PIN- 845440.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabana Khatoon W/O Sajabul Hassan Khan, D/O Taj Md. Khan R/O Village- Gad Bahuari, P.S- Palanawa, Distt.- East Champaran (Bihar). At Present resident of Sabaithawa, P.S- Kangali, Distt.- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajeet Kumar Bhawdwaj, Advocate
For the Opposite Party/s	:	Md. Matloob Rab, APP
For the O.P. No.2	:	Mr. Ashutosh Kr. Upadhyay, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 4 23-07-2025 1. Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party no.2.
2. The petitioner apprehends his arrest in connection with Complaint Case no.2890C of 2022 registered under sections 498A, 323, 341, 504 and 34 of the Indian Penal Code.
3. The allegation against the petitioner is of demand of dowry and torture and petitioner is the husband.
4. Learned counsel for the petitioner submits that earlier the matter had been sent to the Patna High Court Mediation Centre vide order dated 07.05.2025 but the mediation



process has failed. Learned counsel for the petitioner further submits that the allegation of demand of dowry and torture is false and concocted. The petitioner is always ready to keep his wife with full dignity and honour but it is the complainant/opposite party no.2 who never wants to live with the petitioner. The petitioner has no criminal antecedent and undertakes to co-operate in case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 3,500/- to his wife in the second week of every month for her basic requirements. 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. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no.2890C of 2022 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, 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.

8. If the opposite party no. 2 furnishes the Bank account in which the amount can be transferred and yet the petitioner fails to make the aforesaid payment of Rs. 3,500/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

Harsh/-

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