

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51073 of 2024**

Arising Out of PS. Case No.-53 Year-2023 Thana- SAHARSA COMPLAINT CASE District-
Saharsa

MD. KHURSHID SON OF MD. ISRAIL RESIDENT OF VILLAGE -
MURLI BHARNA, WARD NO. 8, P.S. - BANGAON, DISTRICT -
SAHARSA

... ... Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RUKSANA KHATOON WIFE OF MD. KHURSHID, DAUGHTER OF
ALAUDDIN RESIDENT OF VILLAGE - MURLI BHARNA, WARD NO.
8, P.S. - BANGAON, DISTRICT - SAHARSA. AT PRESENT - RESIDENT
OF BHERDHARI, WARD NO.37, P.S. - SAHARSA, DISTRICT -
SAHARSA

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Complainant : Mr. Satish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 30-06-2025 Heard Mr. Pramod Mishra, learned counsel for the petitioner, Mr. Satish Kumar Singh, learned counsel for the Complainant and Mr. Manoj Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 53C of 2023 for the offences punishable under Sections 341, 323, 498(A), 406, 504, 120(B) and 34 of Indian Penal Code.

3. As per the Complaint Petition, the complainant alleged that she was subjected to torture and harassment from



the petitioner and his family members due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis that he is the husband of the complainant.

5. Vide order dated 11.04.2025, the matter was referred before the learned Mediator to settle the dispute between the parties.

6. A report from learned Mediator dated 17.06.2025 reveals that dispute between parties could not be resolved.

7. Learned counsel for the petitioner fairly submits on instructions that petitioner is ready to pay Rs. 5,000/- per month to Complainant till disposal of Maintenance Case, if any.

8. The learned Additional Public Prosecutor and learned counsel for the Complainant have vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Judicial Magistrate, 1st Class, Saharsa in connection with Complaint Case No. 53C of 2023 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- i. Petitioner is directed to pay Rs. 5,000/-(Rs. Five Thousand) per month in the account of the Complainant which is mentioned as:-Account No:-9717652542, IFSC Code-AIRP0000001, starting from July 2025. If the petitioner fails to pay the aforesaid amount to the Complainant, the Complainant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.
- ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iv. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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