

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48753 of 2014

Arising Out of PS.Case No. -687 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Abid Son of Late Tahir Resident of Village - Dimiya, P.S. -
Jalalgarh, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
2. Farida Khatoon, w/o- Abid, D/o- Md. Iliyer, r/o- Dimiya, Tola, P.S.-
Jalalgarh, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Pramod Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 16-07-2015 Heard the Counsels for the petitioner and the Complainant.

The petitioner is the husband seeking bail in Complaint
Case No. 687 of 2013 registered under Sections 498A IPC.

Both parties have taken a stand that they want to resolve the
dispute but owing to the stubborn attitude of the another, it is not
possible. One fact is apparent that the wedlock has produced six
children out of which one is living with the complainant. It is also
not in dispute that both of them are not living under one roof.

Counsel for the petitioner states that as a condition of bail,
he may pay certain interim maintenance to the wife subject to any
order which the Court may pass in the proceeding of maintenance.

Considering the facts and circumstances of the case, in
the event of arrest or surrender in the Court below within four
weeks, the petitioner abovenamed is directed to be released on

anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in Complaint Case No. 687 of 2013 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) Along with the bail bond, the petitioner shall deposit either a bank draft favouring the complainant or the receipt showing deposit of a sum of Rs. 1,000/- in the Nazarat of the Court for the month of July, 2015 which the complainant shall be entitled to withdraw. The petitioner will continue to deposit or pay the amount of Rs. 1,000/- per month as interim maintenance subject to any order which the Court may pass on an application filed by the parties for maintenance. In case, the petitioner defaults in doing so, the complainant shall have liberty to seek cancellation of bail in the Court below itself.

(Kishore Kumar Mandal, J)

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