

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36011 of 2014

Arising out of PS.Case No. -296 Year- 2013 Thana -ARA NAGAR District- BHOJPUR

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Md. Nehaluddin Khan @ Nehaluddin Khan S/o Late Md. Nejamuddin Khan, resident of Village Mahen, Police Station Karimuddinpur, District Gazipur (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar
2. Farhat Parween W/o Md. Nehaluddin Khan, R/o village-Kazi Tola, Arrah, District-Bhojpur

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Md. Harun Quareshi, Advocate

For the Opposite Party/s : Mr. P.K.Chaurasia (APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

8 22-07-2015 Mr. Abdul Mannan Khan, learned counsel for the petitioner and learned counsel for the State are present.

Vide order passed on 11.2.2015 this Court while granting provisional bail to the petitioner had issued notice to the opposite party no. 2 and who has appeared through counsel but there is no representation today.

The matter has been considered on several dates when attempt was made by this Court to see if the matrimonial harmony could be restored but the attempt did not bear any result. It is in these circumstances that the petitioner offered to settle the matter upon payment of a monthly sum to the opposite party each month which he would be depositing in her savings account. The matter was thereafter adjourned enabling the parties to disclose their

respective stand and today when the matter is taken up that it is submitted by Mr. Khan appearing for the petitioner that the petitioner would be depositing a sum of Rs. 4,000/- per month in the account of the opposite party no. 2 consequent upon the disclosure of the savings bank account number by her.

Having heard learned counsel for the parties and considering the fair offer made by Mr. Khan, the provisional bail granted to the petitioner on 11.2.2015 is confirmed. The petitioner as per the undertaking given before this Court would ascertain the savings bank account number of the opposite party no. 2 and shall be depositing the said amount of Rs. 4000/- each month by the end of the first week of the month beginning August, 2015. The amount so deposited by the petitioner would be subject to adjustment against any other claim that may be made by the opposite party no. 2 under other enactments.

With the observations / directions aforementioned and confirmation of the provisional bail to the petitioner, this application is allowed.

(Jyoti Saran, J)

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