

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30259 of 2014

Arising Out of PS.Case No. -450 Year- 2013 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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Md. Nehal @ Md. Nehal Ahmad son of Md. Mosin resident of Village -
Chakhamid, P.O. - Bakhari Bazar, P.S. - Bakhari, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Biwi Parveen Khatoon wife of Md. Nehal (petitioner) daughter of Md.
Zafar resident of Village - Chakhamid, P.O. - Bakhari Bazar, P.S. - Bakhari,
District - Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kr. Verma, Adv.
For the State : Mr. Dr.Indiwar Kumari, APP.
For the Opposite Party No.2: Mr. Sandip Kumar Gautam, Adv.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 14-01-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-498A and 323 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act and the fact that the petitioner is employed at Delhi and is not prepared to keep his wife with him in Delhi and that his other family members are not seeing eye to eye with his wife, the informant, the prayer for grant of anticipatory bail to the petitioner can be allowed only if he would pay a sum of Rs. 5,000/- per month for maintenance of his wife.



Thus, if the petitioner namely, Md. Nehal @ Md. Nehal Ahmad, surrenders within a period of six weeks from today and gives a written undertaking for payment of Rs. 5000/- per month for maintenance of his wife before the Court concerned, he shall 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 **S.D.J.M. Begusarai** in connection with **Complaint Case No. 450C of 2013** subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) The amount of Rs. 5000/- has to be deposited in the concerned Court commencing from January 2015 on month to month basis by every fifth day of the month whereafter such amount shall be paid to the wife (Opposite Party No. 2) of the petitioner and failure to do so even for a single month by the petitioner would automatically entail the consequences of cancellation of his bail.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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