

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 45040 of 2016**

Arising out of P.S. Case No. - 218 Year - 2013 Thana - MADHUBANI COMPLAINT CASE District - MADHUBANI

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Gulam Rabbani, Son of Gulam Rasool, Resident of village - Daldal, P.S. - Bheja, District - Madhubani

.... .... Petitioner

Versus

1. The State of Bihar
2. Rukhsana Khatoon, Daughter of Noor Mohammad, Resident of village - Daldal, P.S. - Bheja, District - Madhubani

.... .... Opposite Parties

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**Appearance :**

|                     |   |                                   |
|---------------------|---|-----------------------------------|
| For the Petitioner  | : | Mr. Iqbal Asif Niazi, Advocate    |
| For the Complainant | : | Mr. Gagan Deo Yadav, Advocate     |
|                     |   | Mr. Udeshya Kumar Yadav, Advocate |
| For the State       | : | Smt. Indu Bala Pandey, A.P.P.     |

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

3    27-10-2016                      Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is languishing in custody since 17.07.2016 in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 379 of the Indian Penal Code.

Basis accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of a female child.

Learned counsel for the informant submits that earlier

the petitioner was granted anticipatory bail by this Court on condition that the petitioner is ready to keep the complainant with due dignity and honour but the petitioner did not comply his undertaking and consequently his bail bond was cancelled.

It is further submitted by learned counsel for the petitioner that the petitioner is ready to make payment of Rs.1,500/- per month to the complainant from December, 2016 by depositing the same in the account by second week of every succeeding month.

Counsel for the complainant submits that the complainant is ready to accept the present offer of the petitioner and undertakes to submit the bank account number on affidavit before the learned court below within a period of four weeks.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

Three consecutive defaults in making payment will give liberty to the complainant to file application for cancellation of bail of the petitioner.

Considering the nature of accusation and the present stand of the parties, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with

two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jhanjharpur in connection with C.R. Case No. 218 of 2013 (T.R. No. 2106/15).

**(Dinesh Kumar Singh, J.)**

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