

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31708 of 2017

Arising Out of PS.Case No. -27 Year- 2017 Thana -MAHILA P.S District- SUPAUL

=====

1. Md. Rabban Khan, son of Late Md. Israfil Khan, resident of Village-Telwa, P.S. and District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Nasrin, wife of Md. Rabban Khan, Daughter of Md. Kalam Khan, resident of Village- Telwa, P.S. and District- Supaul.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Sri Atul Chandra

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Mahila P.S.Case No.27 of 2017 , registered for offences punishable under Sections 498A, 341, 448, 307, 504, 504 and 506/34 of the Indian Penal Code.

The case is under Section 498A of the Indian Penal Code and the petitioner is husband. It further appears that earlier also a bond was executed by the petitioner for not making any harassment or cruelty to his wife but again he assaulted her.

Submission of the learned counsel for the petitioner is that the petitioner is still ready to keep his wife with all dignity and a care and he is also ready to give an undertaking that he will



not harass her. It has further been submitted that the petitioner is in custody for about six months.

Heard learned A.P.P. and the learned counsel for the O.P.No.2. The learned counsel for O.P.No.2 has stated that she also wants to reside with the petitioner but some undertaking be given in writing by the petitioner that he will not assault her and he will also maintain all care of her five children.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the learned trial court that he will call upon the petitioner and O.P.No.2 in the court below and if the petitioner gives an undertaking in writing that he will keep O.P.No.2 with all dignity and care and he will also not harass and humiliate her in future and further he will maintain her five children also, the petitioner will be released on bail, on the condition of payment of reasonable agreed maintenance, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Supaul in connection with Mahila P.S.Case No.27 of 2017, with condition that the petitioner and O.P.no.2 has to appear before the court concerned in the first week of each month till conclusion of trial and if the learned trial court has come to know that the



maintenance has not been provided and no genuine reason has been assigned, he may cancel the bail bonds of the petitioner.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

