

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14746 of 2017

Arising Out of PS.Case No. -1802 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

=====

1. MD. PARWEZ ALAM S/o Sainuddin, Resident of Village- Gogra, P.S.-
Jokihat, District- Araria Petitioner

Versus

1. The State of Bihar.
2. Bibi Nasrin, W/o Md. Parwaez Alam, D/o Late Sirman Ali, Present
Address- Village- Sattbitta, P.S.- Jogbani, District- Araria
..... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Kundan Kumar Singh, Adv.
For the State : Mr. Bharat Bhushan, APP 156
For the complainant : Mr. Md. Aslam Ansari, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 04-07-2017 Heard the learned counsel for the petitioner, the
complainant-opposite party no. 2 and the State.

This is a petition for grant of anticipatory bail for
offence under Section 498A of the Indian Penal Code.

The petitioner is husband of opposite party no. 2.
There is demand of dowry and torture for the same.

Submission of the learned counsel for opposite party
no. 2 is that the petitioner has married with another lady, hence,
restoration is not possible, specially in view of the fact that the
petitioner is not paying maintenance to opposite party no. 2 in
pursuance of order, dated 27.05.2016, passed by the learned
Principal Judge, Family Court, Araria, in Maintenance Case No.
183 of 2015, whereby maintenance of Rs.2,000/- per month was
ordered for maintenance of opposite party no. 2 and her minor
daughter.

The petitioner undertakes to pay the aforesaid
maintenance amount in the bank account of opposite party no. 2,
which has been supplied to the learned counsel for the petitioner in



open Court. The petitioner, further, undertakes to pay Rs.4,000/- every month, which will include Rs.2,000/- of current maintenance and Rs.2,000/- of arrears of the same. The first deposit should be made before filing of the bail bond within four weeks from today.

Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, on compliance of the aforesaid condition, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Complaint Case No. 1802© of 2013** to the satisfaction of **Mr. S.K. Singh, Judicial Magistrate, 1st Class, Araria**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

If the petitioner would fail to follow the direction of deposit of maintenance amount, it would be a ground for cancellation of the bail bond of the petitioner by the Court below itself.

This order shall not remain operative, if the order of the learned Principal Judge, Family Court, Araria, granting maintenance is set aside by some competent Court.

(Birendra Kumar, J)

SA/-

U	√	T	√
---	---	---	---

