

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11760 of 2019

Arising Out of PS. Case No.-2543 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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SAHIM ANSARI @ SAHIM MIYA Son of Late Latif Miya Resident of
Village- Lachhpur, P.S.- Gopalpur, District- Gopalganj, Bihar,

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nasima Khatoon Wife of Sahim Ansari @ Sahim Miya Resident of Village-
Lachhpur, P.S.- Gopalpur, District - Gopalganj, presently residing at D/o
Hasan Miya, Resident of Village -Batarde, P.S.- Barauli, District -
Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan
For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection
with Tr. No.2057 of 2018 arising out of Complaint Case No.2543
of 2017 , registered for offences punishable under Sections
498(A) of the Indian Penal Code.

Complaint petition filed by O.P.no.2 for demand of Rs.2
lac and a motorcycle and torture her mentally and physically
and thereafter the petitioner and other accused persons have
ousted her from the matrimonial house.

Submission of the learned counsel for the petitioner is
that the allegation is false and concocted and he is still ready



to keep her. Furthermore in the maintenance case Rs.3,000/- was awarded as interim maintenance and the petitioner is ready to pay the amount.

Heard learned A.P.P. and the learned counsel for the O.P.no.2 They have submitted that the petitioner has married with another lady as such it is not possible to the O.P.no.2 to live with him..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM XI, Gopalganj in connection with Tr.No.2057 of 2018 arising out of Complaint Case no.2543 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that he will pay the interim maintenance as granted by the Family Family and it is open to the O.P.no.2 that if the petitioner fails to pay the maintenance amount for three consecutive months, she may move before the learned court



below for cancellation of the bail bond of the petitioner..

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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