

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23148 of 2019**

Arising Out of PS. Case No.-1992 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

MD. KAMAR ALAM @ KAMAR ALAM Son of Maulana Fazlu Rehman
Resident of Mohalla- Champa Nagar, Badi Masjid, Lane, P.O.- Champanagar,
P.S.- Nath Nagar, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rubi Nilufar Daughter of Abdul Zabbar, Wife of Kamar Alam Resident of
Mohalla- Kasba, P.O.- Champanagar, P.S.- Nath Nagar, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K.Agrawal,Sr.Adv. Mr. Pravin Kumar Sinha
For the Opposite Party/s	:	Mr.Shailendra Kumar Singh
For the Informant	:	Mr. Nasmul Hoda

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 01-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.1992 of 2017, registered for offences
punishable under Sections 323, 498(A) of the Indian Penal
Code.

Allegation against the petitioner is of demand of Rs.05
lac and for that harassing the complainant and ousted her from
the house.

Submission of the learned counsel for the petitioner is
that Opposite Party No.2 was married from before and that
fact has been suppressed and in that connection, he has filed



'*Khulanama*' in the Supplementary Affidavit and it is not possible for him to reside with the Opposite Party No.2. On the other hand the learned counsel for the Opposite Party No.2 has submitted that she was earlier married with another person but after divorce, marriage was performed with the petitioner and the admitted case is that she is a married wife of the petitioner. Petitioner is running a Handloom.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is allowed and the bail bond of the petitioner is confirmed on the condition that he will pay Rs.4,000/- (four thousand) per month to the O.P.no.2 for the period of one year and it is expected that during that period, the Opposite Party shall move before the learned Family court for grant of maintenance and further the petitioner shall abide by any interim or final order passed in the maintenance case.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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