

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24682 of 2019**

**In
CRIMINAL MISCELLANEOUS No.7755 of 2019**

Arising Out of PS. Case No.-526 Year-2017 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Syed Akil Alam S/o Syed Safique Alam R/o village- Pakriya, P.S.- Panki,
District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sabnam Khatoon W/o Syed akil Alam, D/o Syed Salmuddin R/o village-
Chausa, P.S.- Buxar Town, District- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Lalan Kumar

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

3 01-05-2019 This modification application has been filed for

modification of order dated 28.02.2019 passed in Cr. Misc.

No.7755 of 2019 by which on some conditions the petitioner

was directed to be released on bail, which are as follows:-

“Having heard both sides, considering
the submissions of both the parties, this application
is disposed of with direction to the petitioner to
surrender before the court below within six weeks
and file a petition to the effect that he will keep the
complainant with himself at least for twenty days
in every two months and will also pay an amount
of Rs. 10,000/- each month to the complainant
towards her maintenance till any maintenance case
is being filed and any interim/final order is passed



and if such a petition is filed and the petitioner is ready to abide by the above terms and conditions, the court below shall release the petitioner on bail to his own satisfaction on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount, in connection with Complaint Case No. 526(C)/2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.”

Submission of learned counsel for the petitioner is that he was directed to keep the the opposite party no.2 and at the same time also directed to pay Rs. 10,000/- per month, however feel difficulty in keeping her, but he is ready to pay Rs.10,000/- per month to the opposite party no.2 till any interim or final order is passed in the maintenance case.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2, who submitted that she is ready to reside with the petitioner.

Having heard both sides, in view of the facts and circumstances of the case as stated above, let petitioner surrender before the court below within a period of four weeks from the date of receipt of the order and file a petition that he will give Rs. 10,000/- per month to the opposite party no.2 till any interim or final order passed in the said maintenance case and further he will cooperate in disposal of the maintenance



case and on filing such a petition, he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount.

Let this modified order be communicated to the court concerned at once.

It is made clear that if the petitioner violates the conditions of above order, then the opposite party no.2 shall be at liberty to move for cancellation of his bail bonds.

Accordingly, this modification application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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