

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28338 of 2019**

Arising Out of PS. Case No.-1159 Year-2014 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

MD. GHULAM RASOOL @ GHULAM RASOOL Son of Late Ishaque
Resident of Village - Kharzana Hat Charna, P.S.- Angarhat, District- Purnea

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Nusrat Parveen Wife of Md. Ghulam Rasool @ Ghulam Rasool, D/O- Md. Hasnain Alam Resident of Dangalpada, P.S.- Dumka, District- Dumka (Jharkhand)

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 08-11-2019 Heard learned counsel for the petitioner and the
learned counsel for the O.P. No.2.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 498(A) and 504 of the Indian Penal Code.

Petitioner who happens to be husband of the Complainant is said to have tormented the complainant over dowry demand and finally drove her out of her marital house in association of his family members.

It is submitted by learned counsel for the petitioner that he is ready to keep the complainant with him at his native



place at Dumka but the complainant is not ready for the same. Mediation before the Mediator in the Patna High Court Mediation Centre failed. However, the petitioner is ready to pay Rs. 8000/- per month as maintenance allowance to the complainant and her son. After restoration of cordial relation between the parties the petitioner shall take her with him at his service place.

On the other hand, learned counsel for the O.P. No.2 submitted that the complainant wants to live at her husband's service place. However, he conceded the submission of the petitioner to accord maintenance of Rs.8000/- per month to the complainant as maintenance allowance.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhagalpur in connection with Complaint Case No.1159 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with a direction that the petitioner shall deposit maintenance allowance of Rs. 8000/-per month in the account of the



complainant in the second week of each and every month regularly and in case of default in payment for two consecutive months, learned lower court shall be at liberty to cancel the bail bond of the petitioner.

O.P. No.2 is directed to furnish the bank account number to the petitioner to enable him to deposit the maintenance allowance in it.

This order of maintenance will subject to the order passed in Maintenance Case No.75 of 2014.

(Prakash Chandra Jaiswal, J)

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