

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37116 of 2019

Arising Out of PS. Case No.-89 Year-2018 Thana- KARJAIN District- Supaul

MD NOORUDDIN @ NOORUDDIN Son of Haji Jainul Resident of Village
- Bauraha, P.S.- Karjain, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bibi Hajrun @ Haisarun Wife of Haji Jainul Resident of Village - Bauraha,
P.S.- Karjain, District- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-09-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Karjain P.S.Case No.89 of 2018 , registered for offences punishable under Sections 341, 323, 498A, 448, 379, 427 and 34 of the Indian Penal Code.

Allegation against the petitioner is that the complainant has no male child as such she was ousted and the petitioner has solemnized another marriage.

Submission of the learned counsel for the petitioner is that he is ready to keep her but she is not ready to reside with the petitioner and the FIR itself shows that he has no male child, as such he has married again.

Heard learned A.P.P. and the learned counsel for the O.P.no.2 who has opposed the prayer for bail on the ground



that she was ousted from the house and no expenses were borne by the petitioner for herself and her female child..

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender before the learned court below within a period of two weeks from the date of receipt of the order and on surrender the provisional bail granted, vide order dated 19.6.2019, shall be confirmed, on consideration that the petitioner shall pay Rs.4,000/- (four thousand) per month to the O.P.no.2 for a period of one year, and during that period, it is expected that O.P.no. 2 shall approach before the learned Family Court for grant of maintenance and on personal service of notice to the petitioner he will appear and co-operate in disposal of the same and abide by any order either interim or final passed by the learned Family Court, unless the same is set aside or modified by any Higher Court .

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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