

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53080 of 2019

Arising Out of PS. Case No.-423 Year-2018 Thana- ALOULI District- Khagaria

MD. JAMIL S/o Faruque Miyan @ Md. Farque Resident of Village-
Meghauna, P.S.- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-11-2019 Perused he Medication Report. It appears that the
Mediation has failed.

Petitioner, who is husband of the informant, has moved this court for grant of anticipatory bail in connection with Alauli P.S. Case No. 423 of 2018 for the offences under Sections 498(A)/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

While it is the contention of learned counsel for the petitioner that he is always ready and willing to take the informant as his lawful wife and is ready to live with her with full dignity and care, the stand of informant is that the petitioner has never been serious about it and in fact he has indulged in quarreling with her, even in course of Mediation and further that in the facts and circumstances of the case now the



informant is not willing to live with the petitioner and wants one time settlement with the petitioner.

Considering the facts and circumstances of the case, wherein there appears to be an issue of compatibility between the parties and now the informant wants to come out of marriage and enter into a settlement and it is the voluntary offer of the petitioner that at this stage he would be willing to pay a sum of Rs. 4000/- per month to the informant towards maintenance subject to final outcome of the maintenance case, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Alauli P.S. Case No. 423 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that in terms of his own undertaking the petitioner shall pay a sum of Rs. 4000/- to the informant in between first and fifteenth day of the month and shall remit the amount in the account of the informant regularly subject to final outcome of the maintenance case.

In case, the petitioner fails to abide by any of the conditions and undertaking as stated-above, it will be open for the informant to file an appropriate application in the court below for cancellation of bail bond of the petitioner.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

