

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22587 of 2019

Arising Out of PS. Case No.-686 Year-2018 Thana- COMPLAINT CASE District- Araria

Abdus Salam @ Md. Salam Son of Late Kalimuddin, Resident of Village-Haripur Nayatola, Police Station-Baunsi Basaiti, District-Araria.

... .. Petitioner

Versus

1. The State Of Bihar
2. Bibi Shabana @ Munni Khatoon Wife of Abdus Salam, Daughter of Late Rafi Uddin, Resident of Village-Baturbari, Tola Babhan Botta, Police Station-Tarabari, District-Araria.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Md.Imteyaz Ahmad, Advocate
For the Opposite Party/s	:	Mr.Akhileshwar Dayal, Addl Public Prosecutor
		Mr.Mukesh Kr.Rana, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 14-02-2020 Heard learned counsel for the parties.

The petitioner, husband of opposite party no. 2, apprehends his arrest in a case registered for the offence punishable under Sections 498A/379 of the Indian Penal Code.

From perusal of Mediator's report dated 19.12.2019, it appears that mediation has failed.

Learned counsel for the petitioner submits that at this juncture, the petitioner is ready to give maintenance amount of Rs. 2000/- (two thousand) per month, starting from this month, to opposite party no. 2.

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 2000/- per month, provisional bail allowed to him under order dated 10.4.2019 is hereby confirmed on the following conditions:-

(1) Opposite party no. 2 would file an affidavit before the court below and bring on record her saving bank account



number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no. 2.

(3) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(4) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(5) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(6) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

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