

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67645 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- PATLIPUTRA District- Patna

Syed Khalid Rahim @ S.Khalid Rahim Son of Late Syed Ali Kazim Resident of Village - 4th Floor, Sapna Apartment - II, Naya Tola, P.S.- Pirbahore, Distt.- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shajiya Haidari w/o Syed Khalid Rahim @ S.Khalid Rahim D/o Dr. S. M. Naki Imam r/o-House No. 47, Road No.-1, New Patliputra Colony, P.S.- Patliputra, Distt- Patna, Pin-800 013

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Jha, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-03-2020 Heard learned counsel for the parties.

The petitioner, husband of Opposite Party No. 2 apprehends his arrest in **Patliputra P.S. Case No. 385 of 2018 (G.R. No. 6001/2018)**, registered for the offence punishable under Sections 379, 406, 498A, 504, 506 and 120(B) of the Indian Penal Code.

Earlier, vide order dated 10.12.2019, the matter was sent to Mediation Centre of Patna High Court for settlement of dispute between the parties, which has been received and kept at flag 'M'. From persual of Mediator's report dated 19.02.2020, 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. 7,500/- (Seven thousand five hundred) 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. 7,500/- (Seven thousand five hundred) per month**, in the event of arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Patna** in connection with **Patliputra P.S. Case No. 385 of 2018 (G.R. No. 6001/2018)** 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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