

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2681 of 2020

Arising Out of PS. Case No.-2078 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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MD. NAUSHAD @ MD. NAUSHAD AHMAD @ NAUSHAD AHMAD
Son of Late Md. Sajjad Ahmad wrongly mentioned in complaint as son of
Late Md. Shahjad Ahmad Resident of Village - Bisambharpur Ailoth,
Musrigharai, Katchahari Tola, P.S.- Musrigharari, District - Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Nasima Khatoon as per complaint wife of Md. Naushad @ Md. Naushad Ahmad and daughter of Abdul Jalil Resident of Village - Bisambharpur Ailoth, Musrigharai, Katchahari Tola, P.S.- Musrigharari, District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 14-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 2078 of 2018 registered for the
offences punishable under Sections 498A of the Indian Penal
Code and Section 3/4 of the D.P. Act.

At the outset, learned counsel for the petitioner has
offered to pay an amount of Rs. 5000/- per month for the
maintenance of the complainant and the child.

There are allegations and counter allegations by both



the parties which cannot be decided by the Court in an anticipatory bail proceeding. This can only be decided in the trial.

Considering the facts and circumstances, the prayer for grant of anticipatory bail is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Samastipur, in connection with Complaint Case No. 2078/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Learned counsel appearing for the complainant in the complaint case will supply the bank account details of the complainant to the Advocate for the petitioner in the complaint case proceeding and the petitioner will transfer Rs. 5,000/- (Rupees Five Thousand) per month by the 7th day of each month in the account of the complainant.

The amount for the month of December, 2021, shall be transferred in the account of the complainant by the 27th of December, 2021 and, thereafter, the petitioner shall keep on



paying the amount as directed aforesaid.

Any default in the transfer of the account shall result
in cancellation of bail bonds of the petitioner.

This amount is subject to any order passed for
maintenance by a competent court.

With the aforesaid directions and observations, this
application is allowed.

(Sandeep Kumar, J)

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