

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11604 of 2020

Arising Out of PS. Case No.-759 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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Nayyar Khan Son of Md. Nawab Khan Resident of Mohalla - Shanti Nagar
Deepika, P.S.- Deepika, District - Korban (Chhattisgarh) at present R/o
Mohalla - Aliganj, Road No.- 26, P.S.- Chandauti, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sitara Khatoon Wife of Md. Nayyar Khan D/o Late Marhum Naeem Khan,
Resident of Village - Jay Bigha, P.S.- Gurua, District - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Sudhir Kumar Sinha, Advocate
For the State	:	Mr.Anil Kumar Singh No. 1,A.P.P.
For the Informant	:	Mr. Md. Javed, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 22-03-2021 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the complainant/
opposite party no.2.

The petitioner, who is husband of opposite party no.
2, apprehends his arrest in Complaint Case No. 759 of 2018
registered for the offence punishable under Sections 498(A),
323 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is ready to give maintenance amount of Rs. 2000/-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, in the event of arrest/surrender within a period of eight weeks from today, let the above-named petitioner 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 the S.D.J.M., Sherghati, District – Gaya in Complaint Case No. 759 of 2018, subject to the conditions, as laid down under section 438(2) of the Cr.P.C., as well as 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) 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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