

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24443 of 2022

Arising Out of PS. Case No.-338 Year-2019 Thana- PUPRI District- Sitamarhi

Sarafat Hussain @ Tammane, S/o Sadakat Hussain, R/o village- Aawapur @
Sherpur, P.S.- Pupri, Distt.- Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar
2. Shama Praveen W/o Sarafat Hussain @ Tammane, D/o Sammiullah. At
present Residing Village and Post- Garri Via Jogyara, P.S.- Jale, District-
Darbhanga

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate
For the Opposite Party : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-05-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

This application for anticipatory bail arises out of
Pupri P.S. Case No. 338 of 2019 registered for the offences
under Sections 498-A, 341, 504, 506/34 of the Indian Penal
Code.

There are allegations and counter allegations made
by both the parties against each other, which cannot be decided
in this proceeding.



Considering the aforesaid fact and also the law laid down by the Apex Court in the case of *Arnesh Kumar vs. State of Bihar* reported in *(2014) 8 SCC 273*, this anticipatory bail application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released 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 learned S.D.J.M., Pupri, District-Sitamarhi, in connection with Pupri P.S. Case No. 338 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Considering the facts and circumstances of the case, the petitioner is directed to pay maintenance of Rs.10,000/- per month to the opposite party no.2. The aforesaid amount of maintenance shall be credited in the bank account of the opposite party no. 2 by 7th of every month beginning from May, 2022. The opposite party no.2 shall provide her bank account details to the petitioner or his advocate immediately. In failure to pay the aforesaid amount of maintenance to the opposite party no.2, this order shall automatically stand canceled and the petitioner shall be taken into custody.



The aforesaid amount maintenance shall be subject
to the order passed by any competent Court.

(Sandeep Kumar, J)

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