

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27760 of 2022

Arising Out of PS. Case No.-758 Year-2020 Thana- MAJHAULIA District- West Champaran

SHARIQUE AHMAD OLAYEE S/o Khaleel Ahmad Olayee Resident of
Mohalla- Shibli Colony, New Karimganj, Near New Horizon School, P.S.-
Cvil Line, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bushra Shams W/o Sharique Ahmad Olayee, D/o Shamse Alam Resident of
Village- Jaukatia, P.S.- Jaukatia, P.S.- Manjhauliya, District- West
Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Tabish Sharfuddin, Advocate
For the Opposite Party/s :	Mr. Rajendra Prasad Nat, APP
For the Informant :	Mr. Md. Aslam Ansari, Advocate
	Mr. Sharfraz Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A) and 34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that he has instructions to make submission that the petitioner is willing to pay an amount of Rs. 20,000/- per month to the informant till a court of competent jurisdiction does not fix maintenance.

Learned counsel for the informant, on instructions,



submits that he also agrees to the offer as given by the petitioner, through his counsel. Learned counsel for the informant further submits that he will WhatsApp the savings bank account number of the informant to the learned counsel for the petitioner. Learned counsel for the petitioner submits that thereafter he will WhatsApp the same to the petitioner so that the maintenance amount starts getting credited in the account of the informant from November, 2022 itself. It is next submitted by the learned counsel for the petitioner that thereafter the petitioner in between 1st to 15th of every month commencing from December, 2022 shall keep paying the maintenance amount, as agreed, till a Court of competent jurisdiction does not fix the maintenance, if any.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Majhaulia P.S. Case No. 758 of 2020 subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

However, in the event, if the informant files an application before the learned trial court bringing to its notice that the petitioner for two consecutive months has not paid the maintenance amount, as agreed before this Court, the learned trial court shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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