

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40382 of 2021

Arising Out of PS. Case No.-476 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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ZAFEER ALAM @ MD. JAFIR ALAM @ JUMMAN Son of Shekh Monaf
Resident of Village- Gaad Bahuari, P.S.- Palanwa, District- East Champaran.
... .. Petitioner/s

Versus

1. The State of Bihar
2. Husne Ara Khatoon Wife of Zafeer Alam @ Md. Jafir Alam @ Jumman and
Daughter of Shekh Ebrahim Presently residing at Village- Piparpati, P.S.-
Ramgarhwa, District- East Champaran.
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner apprehends his arrest in connection
with Complaint Case No. 476 of 2019 registered for the
offences punishable under Sections 498-A of the Indian Penal
Code.

It has been submitted by learned counsel for the
opposite party No. 2 that a Maintenance Case No. 46 of 2020
has been filed by the opposite party No. 2 is pending in the
Court of Principal Judge, Family Court, Motihari and the
petitioner is avoiding appearance in that case.

Petitioner is directed to appear in the aforementioned



maintenance case pending in the Court of Principal Judge,
Family Court, Motihari.

Considering the facts and circumstances of the case
and the law laid down by the Apex Court in the case of *Arnesh
Kumar Vs. State of Bihar [(2014) 8 SCC 273]*, the present
anticipatory bail application 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 ten 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
Judicial Magistrate, 1st Class, Raxaul at Motihari, in connection
with Complaint Case No. 476/2019, subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

It is directed that the maintenance case shall be
decided by the Principal Judge, Family Court, Mothiari, within a
period of three months from today and submit a compliance
report before this Court.

Put up this case after three months for compliance
report.

(Sandeep Kumar, J)

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