

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30870 of 2022

Arising Out of PS. Case No.-862 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Akbar Farooqui @ Bacha @ Akbar S/o Late Bachau Farooqui Resident of
Mohalla- Bhabua Ward no. 13, Street in front of Pushpanjali Hotel, P.S.-
Bhabua, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbun Khatoon W/o Akbar Farooqui @ Bacha @ Akbar, D/o Akbar
Miyani Resident of Mohalla- Bhabua Ward No.13, Street in front of
Pushpanjali hotel, P.S.- Bhabua, District- Kaimur at Bhabua, At present
address- resident of Village- Durgawati, near saraye Mohalla Masjid, P.S.-
Durgawati, District- Kaimur at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-12-2022 Heard learned counsels for the petitioner, the State
and opposite party No.2.

The petitioner who is husband of opposite party No.
2 apprehends arrest in a case registered for the offences
punishable under Sections 498A and 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner offers and undertakes that he is ready to give
maintenance amount of Rs. 3500/-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. 3500/- per month, in the event of arrest/surrender within a period of six weeks from today, 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 Chief Judicial Magistrate, Kaimur at Bhabua in Complaint Case No. 862 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure 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) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(5) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(6) 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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