

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63051 of 2021

Arising Out of PS. Case No.-2004 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Md. Mojammil Nadim @ Edward Son of Md. Javed Akhtar @ Mistri
Resident of Mohalla- Badki Tadh- Jitpur, P.S.- Jora Pokhar, District- Dhanbad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Farha Naaz D/o Md. Murtaza Resident of Road No.2 Madarsa Gali No.8,
Karim Ganj, P.S.- Civil Lines, District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.N. A. Shamsi
For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-07-2022 Heard learned counsel for the parties.

The petitioner, husband of complainant apprehends his arrest in Complaint Case No. 2004 of 2019 registered for the offence under Sections 498(A), 323, 324 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is ready to give maintenance amount of Rs. 2,500/- (two thousand five hundred) per month, starting from this month to the complainant.

In view of the undertaking of learned counsel for



the petitioner that petitioner is ready to give maintenance amount of Rs. 2,500/- (two thousand five hundred) per month, in the event of arrest/surrender within a period of six weeks from today, let the petitioner above-named 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 learned Sub-Divisional Judicial Magistrate, Gaya in connection with Complaint Case No. 2004 of 2019 on the following conditions:

- (1.) Complainant 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 Complainant.
- (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 cooperate 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 absence on two consecutive dates without sufficient reason, his 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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