

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66567 of 2021

Arising Out of PS. Case No.-122 Year-2020 Thana- MAHILA P.S. District- Araria

MASEBUL HAQUE Son of - Md Rafique Resident of Village - Bhaghmara,
Ward No. -01, P.S. - Jokihat, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mehnaj Khatoon Wife of - Masebul Haque, Daughter of- Late Nasir
Resident of Village - Taran tola- Dubba WArD No. -08, P.s.- Jokihat, District
- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Ziaul Quamar
For the State	:	Mr. Umeshanand Pandit
For the O.P. No.2	:	Mr. Naffissuzoha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-08-2022 Heard learned counsel for the parties.

The petitioner, husband of informant, apprehends his arrest in Araria (Mahila) PS Case No. 122 of 2020 registered for the offence under Section 498(A), 494, 354 and some other ancillary Sections of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits and offers that at this juncture, the petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month to the informant, starting from this month.

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of



Rs. 3,000/- (three thousand) per month, the petitioner above-named, in the event of his arrest/surrender within a period of six weeks from today, 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 Chief Judicial Magistrate, Araria in connection with Araria (Mahila) P.S. Case No. 122 of 2020 on the following conditions:

(1.) Informant 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 Informant.

(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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