

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62383 of 2022

Arising Out of PS. Case No.-301 Year-2022 Thana- PHULWARIYA District- Gopalganj

Mantaj Alam @ Mantas Alam, S/O Jahur Alam @ Md. Jahur Resident Of
Village- Rampur, P.S.- Phulwariya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Razia Khatoon, D/O Intaj Alam Resident Of Village- Rampur, P.S.-
Phulwariya, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Mohammad Sufyan
For the Opposite Party/s :	Ms. Pronoti Singh
	Mr. Najeeb Ahmad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-12-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 498(A), 506, 509/ 34 of the Indian Penal Code and Section
3/ 4 of the D. P. Act.

Without going into the merits of the case, the learned
counsel for the petitioner, at the outset, submits that this is the
second case under Section 498(A) of the I.P.C. instituted by the
present informant. It is also submitted that petitioner is willing
to pay a maintenance amount of Rs.5,000/- (Rs. Five Thousand)
monthly to the informant to which the learned counsel for the



informant on instruction agrees.

The learned counsel for the informant submits that he will whats-app the bank account number of the informant to the learned counsel for the petitioner. The learned counsel for the petitioner submits that the moment he will receive the bank account number of the informant, he will forward the same to the petitioner and thereafter from January, 2023, the maintenance amount will commence.

At this stage, the learned counsel for the petitioner submits that the informant has already filed a case seeking maintenance before a Court of competent jurisdiction. The present maintenance amount which the petitioner has agreed to pay shall remain subject to the final outcome of the maintenance case filed by the informant before the Court of Competent Jurisdiction.

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, is directed to be released on bail on his furnishing bail-bonds in the sum 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 in connection with Phulwariya P. S. Case No.301 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, in the event, if the informant files an application before the learned trial Court bringing to its notice that petitioner despite agreeing before this Court has not paid the maintenance amount consecutively for two months as agreed, the learned trial Court after giving an opportunity of hearing to the petitioner shall pass order in accordance with law and shall also be entitled to cancel his bail bonds and to take all coercive steps to ensure that petitioner is behind bar.

(Satyavrat Verma, J)

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