

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5218 of 2023

Arising Out of PS. Case No.-54 Year-2022 Thana- BARGAINIA District- Sitamarhi

Aijajur Rahman @ Md. Ezarul Rehman @ Md. Aijajur Rahman, S/O Bhola Mansuri, Resident of village- Jamua Miyain Tola, P.S.- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajda Khatoon, W/O Aijajur Rahman @ Md. Ezarul Rehman, D/o Late Samsuddin, Resident of Village- Jamua Miyain Tola, P.S.- Bairgania, District- Sitamarhi at present residing at Village- Gavandi, P.S.- Kundwa, Chainpur, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-04-2023 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 498(A)/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 3000/- 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. 3000/- 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, Sitamarhi in connection with Bairgania P. S. Case No. 54 of 2022, 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 savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings 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) 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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