

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8271 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- BAISI District- Purnia

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1. MD. MOIN @ MD. MOYEEN Son of Late Md. Hanif Resident of Village- Bagdob, P.S.- Baisi, District- Purnea
 2. LALI @ LADLI KHATOON D/o Late Mahboob Resident of Village- Bagdob, P.S.- Baisi, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Kalu S/o Late Md. Shafiqul R/o Village- Bagdor, P.S.- Baisi, District- Purnea O.P.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nafisuzzoha, Advocate
For the Opposite Party/s :	Mr. Rajesh Kumar, A.P.P.
	Md. Hussain, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-07-2023 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 323, 325, 341, 307, 498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that petitioner No. 1 is husband of the daughter of opposite party No. 2 whereas petitioner No. 2 is sister-in-law of petitioner No. 1 and she has got no concern with the affairs of the couple. Petitioner No. 1 offers and undertakes that he is ready to give maintenance amount of Rs. 3000/- per month, starting from this



month, to the daughter of the opposite party No. 2.

4. In view of the undertaking of learned counsel for the petitioners that petitioner No. 1 is ready to give maintenance amount of Rs. 3000/- (three thousand) per month, in the event of arrest/surrender within a period of six weeks from today, let the above-named petitioners be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Baisi P. S. Case No. 126 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) Daughter of the 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 No. 1.

(2) Petitioner No. 1 would deposit the aforesaid maintenance amount per month in the savings bank account of the daughter of the opposite party No. 2.

(3) In case, the petitioner No. 1 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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