

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16539 of 2023

Arising Out of PS. Case No.-1302 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

AKHTAR KHAN Son of Nasim Khan Resident of Babulal Tola (Dhaka Ramchandra), Ward No.- 14, P.S.- Dhaka, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Trannum Khatoon Wife of Akhtar Khan Daughter of Afroz, Babulal Tola (Dhaka Ramchandra), Ward No.- 14, P.S.- Dhaka, District - East Champaran at present she is residing at Village - Khodanagar, P.S.- Chatauni, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Asif Kalim, Advocate
For the Opposite Party/s	:	Asha Devi, Addl. Public Prosecutor
For the informant	:	Mr. Prateek Tandon, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner, the State and the opposite party no.2.

The petitioner who is husband of opposite party no. 2 apprehends arrest in a case registered for the offence punishable under Sections 498 (A)/ 323/ 34 of the Indian Penal Code.

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 the learned Sub Divisional Magistrate, Sadar Motihari, district – East Champaran in connection with Trial No- 2793 of 2022 arising out of Complaint Case No 1302 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 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 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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