

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24784 of 2023

Arising Out of PS. Case No.-1142 Year-2022 Thana- PHULWARISHARIF District- Patna

Md. Naushad Alam, Son Of Md. Shahabuddin Permanent Resident Of Village
- Simri, P.S.- Bihta, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Razia Khatoon @ Gudiya, Daughter of Jameel Khan Present resident of -
R.K. Nagar Masjid, F.C.I. Road, P.S.- Phulwarisharif, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amarendra Nath Verma
For the State	:	Ms.Nirmala Kumari
For the Informant	:	Mr.Majid Mahboob Khan Mr.Rashid Zafar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-07-2023 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 326, 511, 354B, 379, 427 of the Indian Penal
Code and Section 4 of the Triple Talak Act.

3. The petitioner and the informant in compliance of
the order are present in the Court in person.

4. The petitioner, who is present, submits that
relationship between him and the informant have soured to an
extent that it is difficult to revive the conjugal relationship. It is
next submitted that the informant has performed Nikah with



Adil Ahmad, as such, the maintenance of Rs.40,000/-, which was being paid to the informant, was stopped.

5. The petitioner very fairly submits that though his relationship with the informant has soured, but then, his three children, who are living with the informant, he is willing to maintain them and for that, he submits that he will pay a maintenance of Rs.25,000/-, which shall be credited in the account of the informant for the benefit of the children.

6. The informant, who is present, rebuts the submission of the petitioner and submits that she has not performed her second marriage.

7. Be that as it may, since the petitioner has agreed to pay a monthly maintenance of Rs.25,000/- for the maintenance of the children to be credited in the account of the informant, which shall commence from 28.07.2023, as such the Court deems it fit to grant the privilege of anticipatory bail to 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Patna in connection with



Phulwarisharif P. S. Case No.1142 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. However, the informant will be at liberty to file an application seeking cancellation of the anticipatory bail order of the petitioner, in the event, if petitioner for two consecutive months does not deposit the maintenance amount as agreed before this Court in her account. The present maintenance shall commence from 28.07.2023 and will come to an end, the moment a Court of competent jurisdiction fixes the maintenance.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

