

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35861 of 2023

Arising Out of PS. Case No.-280 Year-2022 Thana- PALASI District- Araria

MD ASFAR @ MD AFSAR S/O LATE SHAINU R/O VILLAGE BARHAT,
WARD NO.13, P.S. PALASI, DISTRICT ARARIA

... .. PETITIONER/S

VERSUS

1. THE STATE OF BIHAR
2. BIBI MEHNAJ D/O MD ATABUL R/O VILLAGE BARHAT, P.S. PALASI,
DISTRICT ARARIA

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s :	Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s :	Mr. Mohammed Arif , Addl. Public Prosecutor
For the O . P .2 :	Mr. Madhav Jha, Advocate KanchAN Jha, ADV

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-09-2023 1 . Heard learned counsel for the petitioner, the
State and the opposite party no.2.

2. The petitioner who is husband of opposite party no.
2 apprehends arrest in a case registered for the offence
punishable under Sections 341 , 323 498 (A) , 504 and 34 of
the Indian Penal Code.

3 . 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.

4. 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 Court of A . C . J . M. 1st . , Araria in connection with Palasi P . S. Case No. 280 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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