

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34435 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- SIMRI District- Buxar

Sabbeer Ahmad Son of Late Sagir Ahmad Resident of Village- Lallapura
(Chhitupur), PS- Sigra District- Varanashi (Uttar Pradesh)

... .. Petitioner

Versus

1. The State of Bihar
2. Haseena Khatoon Wife of Sabbeer Ahmad Resident of Village- Lallapura
(Chhitupur), PS- Sigra District- Varanasi (Uttar Pradesh), at present residing
at village- Kazipur, PO- Dumri, PS- Simri, District- Buxar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Tarkeshwar N Thakur, Addl Public Prosecutor
for opposite party no.2	:	Mr. Satyapal Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-12-2023 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under Sections 498A/323/34 and
other allied sections of the Indian Penal Code and Sections 3 &
4 of the Dowry Prohibition Act.

3. From mediator's report dated 24.11.2023 it appears
that efforts of mediation between the parties has failed.
Petitioner is husband and other petitioners are in-laws of
opposite party no.2. Learned counsel for the petitioners submits
that petitioner offers and undertakes that he is ready to give
maintenance amount of Rs. 3000/-per month, starting from this
month to the opposite party no.2.

4. In view of the undertaking of learned counsel for
the petitioners 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 Additional Chief Judicial Magistrate IV, Buxar in Simri Police Station Case No. 29 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(i) 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.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.

(iii) 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 of petitioner no.1.

(iv) 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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