

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38407 of 2023

Arising Out of PS. Case No.-1529 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Md. Washi Alam son of Lorik Gaddi Village- Tak Takawa Ps- Jogapatti Dist-
West Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Sunila Khatoon @ Shamima Khatoon wife of Md. Washi Alam, D/o-
Kashim Gaddi Village- Aodrwa Tola Pachimwa Ps- Shikarpur Dist- West
Champaran

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Raki Alam, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the Complainant	:	Mr. Sujeet Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
counsel for the complainant as also learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest
bail in connection with Complaint Case No. 1529 C of 2022
registered for the offences punishable under Sections 498(A) of
the Indian Penal Code. The petitioner has no criminal antecedent.

3. As per the prosecution story, the complainant was
married to the petitioner on 22.05.2014. It is alleged that out of
the said wedlock, no child was born due to which the petitioner
and his family members started torturing her.

4. Learned counsel for the complainant submits that
because of the cruelty inflicted by the petitioner upon her, now she
is not ready to live with him. It is also submitted that the petitioner



is continuously neglecting her by not taking care of her day-to-day expenses which is necessary for her living.

5. Learned counsel for the petitioner has, at this stage, submitted that to show his bonafides, the petitioner is ready to pay a sum of Rs.3,000/- per month for the present, subject to any other order which may be passed by the competent court in an appropriate proceeding.

6. Learned counsel for the complainant has, in such circumstance, no objection to grant of pre-arrest bail to the petitioner.

7. Having regard to the submissions noted hereinabove and the offer made by the petitioner to pay a sum of Rs.3,000/- per month for the present and that the complainant has no objection to grant of anticipatory bail on such condition, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Complaint Case No. 1529 C of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. And further condition that in terms of his own offer the petitioner shall pay a sum of Rs.3,000/- (Rupees Three Thousand Only/-) per month within first ten days of every month in the account of the complainant, subject to any other order which may be passed by a competent court in an appropriate proceeding. Breach of this condition shall invite action towards cancellation of bail bond of the petitioner.

10. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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