

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39827 of 2022

Arising Out of PS. Case No.-4 Year-2021 Thana- MAHILA P.S. District- Purnia

MD. SARFARAZ ALAM SON OF MD. MOFIJUDDIN R/O VILLAGE-
CHOTI CHILMARA, POST- SIRNIA, P.S.- KATIHAR, DISTRICT-
KATIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. JAINIFAR KHATOON D/O MD. FIROZ COUMMAR R/O PAIKAGOLA
KAMALPUR, RANI PATRA, P.S.- SADAR MUFFASIL, DISTRICT-
PURNEA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sarveshwar Tiwary, Advocate
For the Opposite Party/s :	Mr.A.G.
For the informant :	Dilip Kumar No. 1, Advocate Dr. Bidhu Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 19-09-2023 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) , 379, 504, 506 and
34 of the Indian Penal Code and $\frac{3}{4}$ of the D.P. Act.

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 Chief Judicial Magistrate , Purnea in connection with Sarsi Mahila P.S. Case No. 04 of 2021 , 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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