

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52113 of 2023

Arising Out of PS. Case No.-166 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MOHAMMAD SARWAR ALAM SON OF MD. RAFIK ANSARI
RESIDENT OF VILLAGE- DHARHARA, ANSARI TOLA, WARD NO. 06,
POLICE STATION- BANMANKHI, DISTRICT- PURNIA

... .. PETITIONER/S

VERSUS

1. THE STATE OF BIHAR BIHAR
2. JINAT KHATOON @ JINAT PRAVIN D/O OF MD. MUMTAJ, WIFE OF
MD. SARWAR ALAM VILLAGE- DHARHARA, ANSARI TOLA, WARD
NO. 05, POLICE STATION- BANMANKHI, DISTRICT- PURNIA.

... .. OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar Thakur , Advocate
For the Opposite Party/s	:	Mr. Akshay Lal Pandit , Addl. Public Prosecutor
For the informant	:	Ram Prawesh Kumar , Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-11-2023 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 498 (A) 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 Additional Chief Judicial Magistrate - I , Purnea in connection with Complaint Case No. 166 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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