

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45475 of 2022

Arising Out of PS. Case No.-193 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

MD. ATIULLAH Son of Late Md. Karmullah Resident of village -
Mohammadpur, Ward No.- 10, Pachrukha Mady Panchayat, P.S.- Banjaria,
District - East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Robina Khatoon Wife of Md. Atiullah Resident of village - Mohammadpur,
P.S.- Banjaria, District - East Champaran at present she is residing at Village
- Purshottampur, P.S.- Chauradano, District - East Champaran

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Asif Kalim, Advocate
For the Opposite Party/s : Mr.Rita Verma, Addl Public Prosecutor
Mr. Md. A Haque, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 07-07-2023 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

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

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 the opposite party no.2.

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 Judicial Magistrate 1st class Motihari, East Champaran in Complaint Case No. 193 of 2021, Trial No. 1605/2021, 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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