

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52865 of 2023

Arising Out of PS. Case No.-1249 Year-2021 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

MD. SADIK ANSARI @ MD. SADEK ANSARI, Son Of Ful Mohammad @
Ful Mohammad Ansari Village Choti Mehadi Pokhar P.S.- Ishipur Barahal
District Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHABINA KHATOON, Daughter Of Late Samad Ansari Wife Of Md. Sadik Ansari @ Md. Sadek Ansari Resident Of Village- Choti Mehdi Pokhar, Ps- Ishipur Barahal, Dist- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ranjan Kumar Jha, Advocate
For the State	:	Mr. Tapeswar Sharma, APP
For the Informant	:	Dr. Bipin Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-11-2023 Heard learned counsels for the parties.

2. The petitioner, husband of the complainant/O.P.-2, apprehends his arrest in Complaint Case No. 1249 of 2021 punishable for the offence under Sections 376, 498A, 323, 341 and 34 of the Indian Penal Code, Sections 3 and 4 of the Dowry Prohibition Act and Section 4 of the POCSO Act.

3. As per complaint case, this petitioner is alleged to have committed torture and harassment with the complainant/O.P.-2 due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand rupees) per month, starting from this month, to complainant/O.P.-2.



5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of ***Rs. 3,000/- (three thousand rupees) per month to complainant/O.P.-2***, in the event of arrest/surrender within a period of six weeks from today, let the petitioner, above-named, 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 learned S.D.J.M., Bhagalpur, in connection with Complaint Case No. 1249 of 2021, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/O.P.-2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the complainant/O.P.-2.

(C.) 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.

D.) 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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