

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52119 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- BARAULI District- Gopalganj

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AUWAL HUSSAIN @ AWAL HUSSAIN SON OF BISMILLAH MIAN
RESIDENT OF VILLAGE - BELSAND, P.S. - BARAULI (MADHOPUR
O.P.), DISTRICT - GOPALGANJ

... .. PETITIONER/S

VERSUS

1. THE STATE OF BIHAR, PATNA
2. NIKHAT PRAVEEN WIFE OF AUWAL HUSSAIN, DAUGHTER OF
TAHIR HUSSAIN RESIDENT OF VILLAGE - REOTITH, P.S. -
BAIKUNTHPUR, DISTRICT - GOPALGANJ

... .. OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Javed Aslam , Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat , APP

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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), 494 , 34 of the Indian
Penal Code and section 3/4 of Dowry Prohibition 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 Judicial Magistrate, Ist Class, Gopalganj in connection with Barauli (Madhopur O.P.) P.S. case No. 293 of 2022 , 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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