

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52266 of 2023

Arising Out of PS. Case No.-362 Year-2023 Thana- ARA NAGAR District- Bhojpur

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MD. NAWAZUL HAQUE SON OF LATE MOFIZUL HAQUE RESIDENT
OF CHAKIYA HOUSE, KASAB TOLA, MOHALLA -MILKI, POLICE
STATION - ARA TOWN, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. AFSA SHAHIN D/O. LATE HIFAZAT HUSSAIN RESIDENT OF
MOHALLA - KHEWARI, POLICE STATION - ARA TOWN, DISTRICT -
BHOJPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s :	Mr. Anant Kumar 1, Addl. Public Prosecutor
For the Informant :	Md. Ataul Haque, 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) and 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 learned Chief Judicial Magistrate , Bhojpur at Ara in connection with Ara Town P . S. Case No. 362 of 2023 , 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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