

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.67795 of 2021

Arising Out of PS. Case No.-135 Year-2021 Thana- SULTANGANJ District- Bhagalpur

Md Imtyaz@Md Imtiyaz Son of Late Sk. Mohamad, Resident of Village - Kasimpur, P.s.- sultanganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jasmin Khatoon D/o Md. Sabbir Resident of Village - Kasimpur, P.s.- Sultanganj, Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-05-2023 Heard learned counsels for the petitioner, the State and opposite party No.2.

The petitioner who is husband of opposite party No. 2 apprehends arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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.

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 Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Sultanganj P. S. Case No. 135 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 savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings 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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