

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56244 of 2022

Arising Out of PS. Case No.-270 Year-2021 Thana- COMPLAINT CASE District- Araria

Md. Gulfaraz Hayat @ Gulfaraz Hayat son of Moinuddin Resident of Village-
Fatehpur, ward No.-05, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nilofar Parween wife of Gulfaraz Hayat, D/o- Md. Irfan Resident of Village-
Fatehpur, ward No.-05, P.S.- Narpatganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nafisuzzoha
For the OP	:	Mr. Anamul Haque
For the Opposite Party/s	:	Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-03-2023 Heard learned counsel for the parties.

The petitioner, husband of Opposite Party No. 2 apprehends his arrest in a case registered for the offence under Sections 498(A), 323/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that at this juncture, the petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) 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. 3,000/- (three thousand) per month, 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 Chief Judicial Magistrate, Araria in connection with Complaint Case No. 270C of 2021 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.) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (5.) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- (6.) 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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