

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62625 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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HAFIZ AHMAD Son of Sharfudin Ansari @ Md. Sharfuddin Resident of
Village- Salaiya, P.S.- Dumariya, District- Gaya Petitioner/s
Versus

1. The State of Bihar
2. Shahina Praveen Wife of Hafiz Ahmad, D/O Ajaj Ahmad Resident of
Village- Salaiya, P.S.- Dumariya, District-Gaya. At present R/O-
Muslimabad, Tarar, P.S.- Daudnagar, District- Aurangabad
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the complainant : Mr. Santosh Chandra Bhaskar, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 22-05-2023 On 01.05.2023, while providing interim protection,

the petitioner was directed to file supplementary affidavit.

Today, on call, it has been submitted that no such petition could
be filed for which he is liable to pay Rs. 1,000/- to Patna High
Court Legal Services Committee.

The complainant has already appeared and as such no
notice required.

It has been contended by the learned counsel for the
petitioner that till the relationship is severed, she is legal wedded
wife and also from the wedlock, there is a child and as such
accepting his responsibility, he on his own would like to provide
financial assistance of Rs. 10,000/- to the lady and Rs. 2,000/- to
the child and he will start depositing the same by 1st week of



June and on each and every month without fail, he will be depositing Rs. 12,000/- in her personal account bearing (SBI) Saving Account No. 32 510214472 failing which the complainant shall be free to make prayer for cancellation of his bail.

Learned counsel for the complainant submits that for the present, he do not have any objection.

Considering the fact that case has already been filed, the petitioner will have to face the music and putting him behind bar will serve no purpose and for the sake of future of the couple, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 12,000/- to be given by the petitioner every month.

Let the petitioner be released on bail in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad, in connection with Complaint Case No. 12 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with the following further conditions:

- (i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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