

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70151 of 2022

Arising Out of PS. Case No.-190 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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MD. RAHBAR SON OF MD. AKBAR R/O VILLAGE- MURATH, P.S.-
ARER, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. RUKSHANA KHATOON WIFE OF MD. RAHBAR, D/O MD. SOYEB
R/O VILLAGE- MURATH, P.S.- ARER, DISTRICT- MADHUBANI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A),
341, 323, 354(B), 379, 504, 506/34 of the Indian Penal Code.

In compliance of the order dated 27.06.2023 the
petitioner alongwith the informant are physically present before
this Court.

Learned counsel for the petitioner at the outset
submits that petitioner being husband has been falsely
implicated in the present case, it is next submitted that the
relationship between the petitioner and the informant has



soured, it is further submitted that petitioner is willing to pay a monthly maintenance of Rs. 6,000/- (Six Thousand) to the informant which shall commence from 28.07.2023 till a Court of competent jurisdiction does not fix monthly maintenance.

The learned counsel for the informant does not dispute the submission of the learned counsel for the petitioner and submits that he will WhatsApp the account number of the informant on the WhatsApp of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes he will forward the same to the petitioner so that the monthly maintenance commences from 28.07.2023.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with C.R. Case No. 190 of 2021 subject to the conditions as laid down under Section



438 (2) of the Cr.P.C.

However, it is made clear that the informant would be at liberty to file an application seeking cancellation of the anticipatory bail orders of the petitioner in the event, if the petitioner for two consecutive months does not deposit the amount as agreed in the bank account of the informant. It is next submitted that the moment the court of competent jurisdiction fixes the maintenance amount the present maintenance which the petitioner has agreed shall stop.

(Satyavrat Verma, J)

Adnan/-

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