

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.72418 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- MAHILA P.S District- West Champaran

Nesar Ahmad Son of Atiur Rahman Resident of Village - Chamuwa, P.S.-
Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Heena Praveen Wife of Nesar Ahmad D/o Kadir Hussain, At present
Resident of Miskar Toli, Ramanagar, P.S.- Ramnagar, District - West
Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Dr. Kumar Uday Pratap

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 341, 323, 498A, 314, 315, 504,
506/34 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. 5000/- 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. 5000/- 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 Sub-Divisional Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah Mahila P. S. Case No. 16 of 2022, 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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