

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6281 of 2024

Arising Out of PS. Case No.-15101 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Shams Raza @ Shamsa Raza @ Md. Shamsa Raza S/O Allauddin Sah @ Md. Allauddin Sah Village- Majhauri, Ps. Vaishali (BELSAR O.P.), Dist. Vaishali At Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajufa Pravin Sai W/O Shams Raza @ Shamsa Raza @ Md. Shamsa Raza Presently Residing With Her Father Namely Md. Ejaj R/O Village- Ujjain Tola Ward No. 35, Ps. Bettiah Nagar, Dist. West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Navjot Yesu, Adv.
For the State	:	Mr. Ram Anurag Singh, APP
For the O.P. -2	:	Mr. Gauri Shankar Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 15101(C) of 2022 registered under Section 341, 323, 307, 498A, 420 and 406 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the Opposite party no. 2. The petitioner offers and undertakes that he is ready to



give maintenance amount of Rs.3,000/- per month, starting from this month, to opposite party no. 2.

4. 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 to the opposite party no. 2, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Civil Court, West Champaran at Bettiah in connection with Complaint Case No. 15101(C) of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C as well as on the following conditions:-

‘(i) 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.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the O.P. No. 2.

(iii) 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.

(iv) 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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