

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6528 of 2024

Arising Out of PS. Case No.-415 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

=====

SYED DANISH IRFAN Son of Syed Tarik @ Syed Md. Tarik Resident of
Village-Vidya Sagarpur, More Inda, P.S.-Medanipur, District-Karapur, State-
West Bengal.

... .. Petitioner/s

Versus

1. The State of Bihar
2. NAZIA KHANAM Wife of Syed Danish Irfan, D/o Md. Salim Resident of
Mohalla-Panchaiti Akhara, Ganga Mahal, P.S.-Kotwali, District-Gaya.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1,APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 28-08-2024 Heard Mr.Sharda Nand Mishra, learned counsel for

the petitioner, Mr.Amit Pandey, learned counsel for the

complainant and Mr.Anil Kumar Singh No. 1, learned A.P.P. for

the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.415 of 2023 registered for
the offences punishable under Sections 498(A),120(B)of the
Indian Penal Code.

3. According to prosecution case, these accused
persons have pressurized the complainant to resign from her job
and to reside only at her matrimonial house.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the complaint is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition.

5. Vide order dated 09.04.2024 the present matter has been referred to the Mediation Center, Patna High Court, Patna for settlement of the dispute between the parties. Report of the learned Mediator dated 24.05.2024 reveals that in spite of best efforts the dispute between the parties could not be resolved.

6. Learned counsel for the petitioner submits that the complainant has filed the maintenance case bearing Maintenance Case No.60 of 2023 before the court of learned Principal Judge, Gaya and the same is pending for consideration. Learned counsel for the petitioner further submits that on the basis of the instruction that the petitioner is ready to pay Rs.10,000/-per month to the complainant for maintenance of his wife and his children subject to Maintenance Case No.60 of 2023.

7. In view of the aforesaid, learned counsel for the complainant is directed to furnish the bank details of the complainant.

The bank details of the complainant is as follows:



Name:-Nazia Khanam.

A/C No.330201502815.

IFSC Code:-ICIC0003302.

Bank:-ICICI

Branch:-Unitech

8. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 Judicial Magistrate-1st Class-06, Court No.24, Gaya in connection with Complaint Case No.415 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) At the time of furnishing bail bond, the petitioner shall deposit Rs.10,000/- by way of demand draft in favour of the complainant and the learned court below is directed to hand over the said demand draft to the complainant or her representative and the petitioner shall pay Rs.10,000/- per month in the bank account of the complainant and if the petitioner fails to pay the aforesaid amount, the complainant



shall be at liberty to move before the learned court below for cancellation of bail bond of the petitioner.

(II) Petitioner shall co-operate 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(III) 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.

(IV) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

