

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10964 of 2024

Arising Out of PS. Case No.-1737 Year-2022 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Md. Amjad Ansari @ Md. Amjad Ali Son of Md. Manjur Ansari @ Md. Manjur Alam Ansari Resident of Village - Baburvan, P.S.- Baruraj, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Noor Jahan Khatoon W/o Md. Amjad Ansari and D/o Md. Sakeel Ansari At present resident of Village - Ganga Sirsiya, P.S. - Chakiya, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K.
For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-07-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel appearing on behalf of the O.P. No. 2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 313, 379, 354, 420, 498A and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the complainant. It is next submitted that presently the relationship in between the petitioner and the O.P.



No. 2 has soured to an extent where it is not possible to revive the conjugal relationship, but then submits that may be with passage of time and on intervention of well wishers, the parties may resolve their dispute. It is also submitted that petitioner is aware of his responsibility and thus is willing to pay a monthly maintenance of Rs. 3,000/- to the O.P. No. 2.

4. The learned counsel appearing on behalf of the O.P. No. 2 submits that since petitioner is willing to pay a monthly maintenance of Rs. 3,000/-, as such, no useful purpose would be served by sending the petitioner to jail. It is next submitted that he will *Whatsapp* the bank account number of the O.P. No. 2 on the *Whatsapp* number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance, as agreed, commences from 01.08.2024.

5. 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. 10,000/- (Rupees Ten 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 Complaint Case No. 1737 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail granted to the petitioner in the event if the petitioner does not deposit the amount of monthly maintenance, as agreed, for two consecutive months.

7. It is further made clear that present maintenance will stop, the moment a Court of competent jurisdiction decides the maintenance case filed by the O.P. No. 2.

(Satyavrat Verma, J)

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