

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18607 of 2024

Arising Out of PS. Case No.-952 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Md. Niyaz Ahmad @ Niyaz Ahmad Son of Md. Nasim Ahmad @ Md. Nasim
Resident of Jamalpur, Ward No. 03, P.S.-Jamalpur, District- Darbhanga, at
present residing at E-156/2, Shahibagh, Abul Fazal Enclave, P.S.- Jamia
Nagar, District- New Delhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Skukrana Khatoon Wife of Niyaz Ahmad @ Md. Niyaz Ahmad, D/o Md.
Shakil Ahmad Resident of Darhar, P.S.- Nauhatta, District- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Md Fazle Karim, Advocate
For the State	:	Ms. Rita Verma, A.P.P.
For the O.P. No. 2	:	Mr. Amir Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-06-2024 Heard learned counsel for the parties.

2. The petitioner who is husband of opposite party
No. 2 apprehends arrest in a case registered for the offences
punishable under Sections 323, 498A, 504/34 of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner offers and undertakes that he is ready to give
maintenance amount of Rs. 3000/- 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. 3000/- (three thousand) per month to the opposite party No. 2, in the event of arrest/surrender within a period of six weeks from today, let the 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 Chief Judicial Magistrate, Saharsa in connection with Complaint Case No. 952 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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