

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15099 of 2024

Arising Out of PS. Case No.-523 Year-2023 Thana- NARPATGANJ District- Araria

Md. Amzad @ Amzad Raza S/o Mumtaz, R/o Village- Pathraha, Ward No. 07,
P.S.- Narpatganj (Ghurna O.P.), District- Araria

... .. Petitioner

Versus

1. The State of Bihar
2. Zabina Khatoon, D/o Sahir, R/o Village- Pathraha, Ward No. 12, P.S.-
Narpatganj (Ghurna O.P.), District- Araria

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-03-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State duly assisted by

learned counsel for the informant.

2. The accused/petitioner is named in the F.I.R.

and apprehending his arrest in connection with Narpatganj
(Ghurna O.P.) P.S. Case No.523 of 2023 registered for the
offences punishable under Sections 341, 323, 354-B, 498-A
of the Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

3. The allegation against the petitioner is to

commit cruelty against O.P. No. 2/wife and demanded



dowry.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is desirous to lead his conjugal life with O.P. No. 2/wife and her daughter with full honour and dignity. Learned counsel submits that petitioner has been falsely implicated with present case, allegation regarding dowry demand and cruelty appears general and omnibus and, moreover, as a good gesture, he is ready to pay Rs. 3,000/- as an *ad-interim* maintenance amount to O.P. No. 2/wife and her daughter without fail before 7th day of every english calendar month, till disposal of the present case before learned Trial Court.

5. Learned A.P.P. for the State duly assisted by learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact as petitioner is ready to pay *ad-interim* maintenance amount of Rs. 3,000/- to O.P. No. 2/wife and daughter, accordingly, the petitioner, above named, in the event of his arrest or



surrender before the court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Narpatganj (Ghurna O.P.) P.S. Case No.523 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions :-

(i) Petitioner shall pay Rs. 3,000/- as an *ad-interim* maintenance amount to O.P. No. 2/wife on or before 7th day of English calendar month. Payment for the month of **March** be made in cash at the time of furnishing bail bond, whereas maintenance amount from the month of **April** onwards be paid through bank account of O.P. No. 2/wife, if not available same be opened by petitioner on his expenditure, if any.

(ii) If petitioner fails to pay ad-interim maintenance for two consecutive months, the bail bond of petitioner shall be cancelled by the learned Trial Court, itself, if pressed by O.P. No. 2/wife.



(iii) Aforesaid conditions shall remain operational till finding of Family Court. Amount paid shall be adjusted accordingly.

(Chandra Shekhar Jha, J.)

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