

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22523 of 2024

Arising Out of PS. Case No.-602 Year-2023 Thana- SIKARPUR District- West Champaran

1. Noor Alam Dewan @ Nur Alam Dewan Son of Najamudin Devan
2. Haseena Khatoon Wife of Najamudin Devan
Both Resident of Village- Jamuniya, Ward No. 14, P.S.- Shikarpur, Dist.-
West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lalmuni Khatoon Noor Alam Dewan VILL - Meghwal Mathia Ps -
Shikarpur Distt. - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shantanu Kumar, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-08-2024 1. Heard learned counsel for the petitioners, learned

APP for the State and the learned counsel appearing on behalf of

the informant.

2. The petitioners seek bail in anticipation of their

arrest in a case registered for the offences punishable under

Sections 498A, 323, 341, 504, 506 and 34 of the IPC in

connection with Shikarpur P.S. Case No.602 of 2023.

3. The learned counsel for the petitioners submit that

petitioners have been falsely implicated in the instant case by

the informant. It is further submitted that petitioners still is

willing to keep the informant with honour and dignity, but then



informant for reasons best known is not willing to restitute her conjugal rights with the petitioner.

4. The learned counsel appearing on behalf of the O.P. No.2 submits that O.P. No.2 feels tortured at the hands of the petitioners and thus is not willing to accompany him, but then submits that with passage of time and on intervention of well wishers the parties may reconcile their dispute. The said submission of the learned counsel appearing on behalf of the O.P. No.2 is not disputed by the learned counsel appearing on behalf of the petitioners.

5. The learned counsel for the petitioners based on instruction in order to establish his bonafide submits that petitioners are willing to pay a monthly maintenance of Rs.2500/- to the O.P. No.2 which shall commence from 19.08.2024.

6. The learned counsel appearing on behalf of the O.P. No.2 submits that he will whatsapp the bank account number of the O.P. No.2 on the whatsapp number of the learned counsel for the petitioners and the learned counsel for the petitioners undertakes to communicate the same to the petitioners so that the monthly maintenance as agreed commences from 19.08.2024.



7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thosuang) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., West Champaran, Bettiah in connection with Shikarpur P.S. Case No.602 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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