

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23403 of 2023

Arising Out of PS. Case No.-6751 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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ASHIF ALI Son of Salauddin @ Chand Resident of Village - Malikpura, P.O.-
Sadhar Sultanpur, P.S.- Bhagwanpur, District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Israt Khatoon Wife of Ashif Ali Daughter of Md. Sahabuddin Ansari,
Resident of Village and P.O.- Sham Kauriya, P.S.- Ishuapur, District -
Chhapra

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Sinha, Advocate
	:	Mr. Ajay Kr. Prasad, Advocate
For the Opposite Party/s	:	Mr.Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 10-01-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Complaint case no. 6751(C) of 2021, disclosing
offences punishable under Sections 498(A), 323 of the Indian
Penal Code r/w Section 3/4 of Muslim Women (Protection of
Rights on Marriage) Act, 2019.
3. There was possibility of revival of conjugal
relationship between husband and wife, accordingly, this Court
fixed the matter today in the Chamber.
4. Learned counsel for the petitioner is present and



submits that due to illness of father of the petitioner, the petitioner could not come from Delhi but still the petitioner is ready and willing to keep opposite party no. 2 as his wife with honour, care and dignity. He next submits that the petitioner is also ready to meet the day to day expense of his wife- opposite party no. 2 and is ready to pay a monthly sum of Rs. 3,000/- as living cost, subject to the final outcome of the matrimonial and/or maintenance case, if any, lodged and decided between the parties.

5. No one has appeared on behalf of opposite party no. 2, today in the Chamber.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the submission made by learned Counsel for the petitioner and in order to maintain harmony in the family, I am inclined to grant privilege of anticipatory bail to the petitioner, subject to the condition that the petitioner shall deposit a sum of Rs. 3,000/- per month in the bank account of opposite party No. 2 positively, the account number of which is to be provided by opposite party No. 2. The amount of Rs. 3,000/- shall be deposited every month starting from 07th April, 2024, subject to final outcome of matrimonial and/or maintenance case decided



between the parties, if any.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today be released on bail, upon 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, Patna, in connection with Complaint Case No. 6751 of 20211, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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