

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26722 of 2024

Arising Out of PS. Case No.-304 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

=====

MD. MUSTAK AHAMAD @ MD. MUSTAK AHMAD @ MUSTAK
ANSARI SON OF MUBARAK HUSHAIN RESIDENT OF VILLAGE -
SANGRAMPUR, P.S. - TARAIIYA, DISTRICT - SARAN, BIHAR

... .. Petitioner/s

Versus

- 1 . THE STATE OF BIHAR
2. RAHIMA BANO DAUGHTER OF ZIA-UL-HAQ ANSARI RESIDENT
OF VILLAGE - SANGRAMPUR, P.S. - TARAIIYA, DISTRICT - SARAN,
PRESENTLY RESIDING AT VILLAGE - NAGRA, P.S. - KHAIRA
NAGRA O.P., DISTRICT - SARAN, BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Abhijeet Abhigyan, Advocate
For the Opposite Party/s :		Mr. Anant Kumar 1, APP
for OP 2	:	Mr. Rananjay Kumar , Advocate
		Mr. Arif Daula Siddiquie, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-09-2024 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 and 379 of the Indian
Penal Code and Sections 3/ 4 of the D. P Act.

3. Earlier, the matter was referred to the Mediation
Center to resolve the dispute between the parties but from the
Mediator's Report dated 21.06.2024 it appears that the
mediation between the parties failed.

4. 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.

5 . 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 eight 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 the learned SDJM Saran in connection with Trial No. 3323 of 2023 and ABP No. 3537 of 2023 arising out of Complaint Case No. 304 of 2023 , 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)

Koushik/-

U		T	
---	--	---	--

