

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29337 of 2024

Arising Out of PS. Case No.-959 Year-2021 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Ashraf Ali Son of Rafi Akhatar @ Shafi Akthar Resident of Village- Amahar,
Police Station- Baresar, District- Ghazipur (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Farida Khatoon Wife of Ashraf Ali and D/o of Najrul Islam @ Maiduddin At
present resident of Mohalla- Thatheri Bazar, Police Station- Buxar (T),
District- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rang Nath Choubey, Adv.
For the Opposite Party/s :	Ms. Asha Kumari, APP
	Mr. Hafiz Shahbaz Arif, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-08-2024 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the Opposite Party

No. 2.

2. The petitioner apprehends his arrest in connection with

Complaint Case No. 959(C) of 2021 offences punishable under

Section 323 and 498A of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner

submits that the petitioner is the husband of the Opposite party
no. 2. The petitioner offers and undertakes that he is ready to

give maintenance amount of Rs. 3,000/- per month, starting

from this month, to opposite party no. 2.



4. Learned counsel for the Opposite Party No. 2 does not dispute the contention made on behalf of the petitioner.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month to the opposite party no. 2, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Complaint Case No. 959(C) of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C as well as on the following conditions:-

‘(i) 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.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the O.P. No. 2.

(iii) 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.

(iv) 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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