

Arising Out of PS. Case No.-111 Year-2023 Thana- SIKTA District- West Champaran

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Sazid Abdullah S/o Md. Zubair R/o vill - Mathiya Zirat, P.s. - Chhatauni,
Distt. - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mah Para W/o Sazid Abdullah, D/o Zahur Ahmed R/o vill - Jhumka, P.S. - Sikta, Distt. - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

For OP 2 : Gauri Shankar Thakur , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-07-2024

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 341 , 323 , 427, 498A , 504, 506 and 34 of the Indian Penal Code and 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 01.07.2024 it appears that the mediation between the parties has failed.

4. Learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 5000/- 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. 5000/- (five thousand) per month to the opposite party No. 2, in the event of arrest/surrender within a period of six 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 learned Judicial Magistrate - 1st Class, Bettiah, West Champaran in connection with Sikta P S Case No. 111 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)

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