

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37763 of 2024

Arising Out of PS. Case No.-156 Year-2021 Thana- NAUTAN District- West Champaran

TAJMUL ALAM @ GUDDU ALAM S/O NOOR ALAM MIYAN @ DHODHA MIYAN R/O VILLAGE- BUDHWALIYA, MANGALPUR BAZAAR, P.S- NAUTAN DISTT.- WEST CHAMPARAN (ADDRESS AND PARENTAGE OF THE PETITIONER HAS WRONGLY BEING WRITTEN IN THE IMPUGNED ORDER).

... .. Petitioner/s

Versus

- 1 . THE STATE OF BIHAR
2. SAMINA KHATOON W/O TAJMUL ALAM @ GUDDU ALAM, D/O MD. ANWAR HUSSAIN R/O VILLAGE- NAURANGIYA PATARKHA, P.S- MANUAPUL, DISTT.- WEST CHAMPARAN.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar , Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP
For OP 2	:	Mr. Ram Kishun Prasad , 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 341 , 323 , 498A , 504, 506 and 34 of the Indian Penal Code .

3 . Earlier, the matter was referred to the Mediation Center to resolve the dispute between the parties but from the Mediator's Report dated 09.09.2024 , 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 Chief Judicial Magistrate Bettiah West Champaran in connection with complaint Case No. 156 of 2021 , 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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