

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40965 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- GORIAKOTHI District- Siwan

SHAHNAWAZ KHAN @ MD SHAHNAWAZ S/O HARUN KHAN R/O
Village- Machakana, PS. Hussainganj, Dist. Siwan (Bihar)

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Sanam Khatoon wife of Shahnawaz Khan @ Shahnawaz

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Manoj Kumar Singh, Advocate
For the Opposite Party/s :	Mr.Upendra Kumar, Addl Public Prosecutor Mr YC Verma, Senior Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 30-04-2024 Heard learned counsel for the petitioner, the State
and the opposite party no.2.

2. The petitioner, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under Sections 341, 323, 448, 504, 506/34 of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. Mediator's report dated 7.3.2024 reveals that in spite of efforts, dispute between the parties could not be resolved through process of mediation. However, it is submitted by 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 the opposite party no.2.

4. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 3000/- per month, in the event of arrest/surrender



within a period of six weeks from today, 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 Sub Divisional Judicial Magistrate, Siwan in Goreakothi Police Station Case No. 9 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:-

(i) Opposite party no.2. would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party 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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