

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41095 of 2024

Arising Out of PS. Case No.-1776 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Ismail S/o Jan Mohammad R/o Village-MALTIPUR BHARNATHI, P.S.-
Amdabad, District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manwara Khatoon D/o Saifuddin W/o Ismail R/o Village-Raniganj Dokhra,
P.S.-Kadwa, District-Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP
Mr. Bimal Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-08-2024 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
C.A. Case No. 1776 of 2022 offences punishable under Section
498A of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

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 Sub-Divisional Judicial Magistrate, Katihar in connection with C.A. Case No. 1776 of 2022, 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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