

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42683 of 2024**

Arising Out of PS. Case No.-2119 Year-2022 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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MD. SANERUDDIN @ MD. SANER S/O MD. SANERUDDIN @ MD.  
SAHEB ALI RESIDENT OF VILLAGE - BALTAR, POLICE STATION -  
BARSOI, DISTT.- KATIHAR.

... .. Petitioner/s

Versus

- 1 . THE STATE OF BIHAR
2. AASYANA PARWEEN W/O MD. SANERUDDIN @ MD. SANER, D/O  
MD. AFZAL ALI R/O VILLAGE- BALTAR, P.S- BARSOI, DISTT.-  
KATIHAR.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Najeeb Ahmad , Advocate  
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      26-10-2024                      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 Section 498A 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 20.08.2024 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. 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 Sub- Divisional Magistrate Katihar in connection with Complaint Case No. 2119 of 2022 , 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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