

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56032 of 2023

Arising Out of PS. Case No.-65 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

MD. EZAZ @ EZAZ AHAMD S/O MD. NAYEEM R/O VILLAGE-
SUNDARPUR RATWARA, P.S- PIAR, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MONI KHATOON W/O MD. EZAZ, D/O NOOR MOHAMMAD. A/P
RESIDENT OF SUNDARPUR RATWARA, P.S- PIAR, DISTT.-
MUZAFFARPUR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 06-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel for the O.P. No.
2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner, being husband, has been falsely implicated in the
present case. It is next submitted that the case was referred for
mediation but then the mediation proceedings failed. It is also
submitted that the relationship has also soured to an extent that
it is not possible to revive the same, but then petitioner will



contest the present case in trial. It is further submitted that petitioner, at the same time, is willing to pay a monthly maintenance of Rs. 5,000/- to the O.P. No. 2 which shall commence from 01.04.2024.

4. The learned counsel appearing on behalf of the O.P. No. 2 submits that he will *Whatsapp* the bank account number of the O.P. No. 2 on the *Whatsapp* number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance, as agreed, commences from 01.04.2024.

4. Considering the submissions made by the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 65 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

5. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application before this Court seeking



cancellation of the anticipatory bail granted to the petitioner in the event, the petitioner does not deposit the monthly maintenance, as agreed, for two consecutive months.

6. It is further made clear that the moment a Court of competent jurisdiction fixes the maintenance, in that event the present maintenance will stop.

(Satyavrat Verma, J)

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