

Arising Out of PS. Case No.-421 Year-2022 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

... .. Petitioner/s

1. The State Of Bihar
2. Aaysha Khatoon, W/O Md. Shakib Naiyar @ Sonu, D/O Md. Murshid Resident Of Maik- Murliganj, Ward No. 03, Ps. Murliganj, Dist. Madhepura, And Resident Of Sasural- Madhepura, Ward No. 11, Masjid Chowk, Ps. Madhepura, Dist. Madhepura

... .. Opposite Party/s

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Ganesh Prasad Singh

4 05-03-2024 1. The learned counsel for the petitioner submits that the notices on behalf of opposite party no.2 was received by her father. Accordingly, an application of jointness has been filed.

2. In view of the submission made by the learned counsel for the petitioner, the notice is deemed to have been validly served.

3. Heard learned counsel for the petitioner and learned APP for the State.

4. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 498A, 323, 341, 379, 384, 504, 506 and 34 of the



Indian Penal Code and Sections 3 and 4 of the D. P. Act, but cognizance has been taken under Sections 498A and 34 of the I.P.C. and Sections 3 and 4 of the D. P. Act.

5. The learned counsel for the petitioner next submits that the petitioner, being husband, has been falsely implicated in the case. It is next submitted that petitioner is willing to keep the informant with honour and dignity, but then, the opposite party no.2, despite receiving notice, chooses not to appear and contest, which amply demonstrates that opposite party no.2, for reasons best known, is not interested in reviving the conjugal relationship, but then, the learned counsel for the petitioner, on instruction of the petitioner, submits that he has instructions to make submission that petitioner in order to establish his bonafide that he is still interested in reviving his conjugal relationship, is willing to pay a monthly maintenance of Rs.3,000/- (Three Thousand) to the opposite party no.2, though petitioner is a labourer and earns about Rs.10,000/- to Rs.11,000/- per month. It is next submitted that the monthly maintenance will commence from 01.04.2024.

6. Learned A.P.P. opposes the bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Madhepura in connection with Madhepura Complaint Case No.421 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking cancellation of anticipatory bail of the petitioner, in the event, if the petitioner does not pay the monthly maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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