

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65642 of 2023

Arising Out of PS. Case No.-638 Year-2020 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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MD. HAIDAR ALI Son of Marhum Aihsan Minya R/o vill - Safiganj, P.S. -
Warisliganj, Distt. - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruksana Khatoon D/o Md. Ajij Minya R/o vill - Makahnpur, P.S. -
Warisaliganj, Distt. - Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 19-03-2024 1. Heard learned counsel for the petitioner and

learned APP for the State along with learned counsel for the O.P.

No. 2.

2. The learned counsels for the parties jointly
submitted that the case was referred for mediation but then on
the first date, the O.P. No. 2 could not come and on the second
date, the petitioner could not come. It is further submitted that
on intervention of the well wishers for the present it has been
amicably decided that petitioner will pay a monthly
maintenance of Rs. 5,000/- to the O.P. No. 2 towards her
maintenance and maintenance of three daughters as three sons
are staying presently with the petitioner. It is further submitted



that petitioner works as a mason and thus earns about Rs. 15,000-20,000/- depending on the availability of work. It is also submitted that it is not possible for the petitioner and the O.P. No. 2 to attend mediation proceedings as that also involves expense of travelling at least with food.

3. Learned counsel for 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 forward 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 petitioner, 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. 10,000/- (Rupees Ten 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. 638 of 2020 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 if the petitioner does not deposit the monthly maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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