

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69536 of 2023

Arising Out of PS. Case No.-177 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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ABU SUFIYAN @ ABU SUFIYAN KHAN son of Late Mubarak Khan
Village- Maandar PS- Maandar Dist- Ranchi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nusrat Parween D/o- Md. Sarfaraz Alam Mohalla- Lohanipur Ps- Akbarpur
Dist- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 29-04-2024 1. Heard learned counsel for the petitioner and learned APP for the State along with learned counsel appearing on behalf of the O.P. No. 2.
2. The learned counsel appearing on behalf of the O.P. No. 2 submits that the time for mediation may not be extended as no useful purpose would be served by extending the period of mediation as the dispute in between the petitioner and the O.P. No. 2 cannot be resolved through mediation proceeding.
3. Since a specific stand has been taken by the learned counsel appearing on behalf of the O.P. No. 2 not to extend the period of mediation and the same is not objected by the learned counsel for the petitioner, as such, the mediation proceeding is dropped.



4. At this stage, the learned counsel appearing on behalf of the petitioner submits that the relationship in between the petitioner and the O.P. No. 2 has deteriorated to an extent where it is not possible to revive the conjugal relationship, but then submits that petitioner is willing to pay a monthly maintenance of Rs. 10,000/- to the O.P. No. 2 and the child, but then the said maintenance should be subject to maintenance being decided by a Court of competent jurisdiction.

5. 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 appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance, as agreed, commences from 06.05.2024.

6. 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. 177 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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 amount of monthly maintenance, as agreed, for two consecutive months.

8. It is further made clear that the present maintenance will stop, the moment maintenance is fixed by a Court of competent jurisdiction.

(Satyavrat Verma, J)

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