

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72288 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- SIKTI District- Araria

Md. Akeel Khan @ Akil Khan son of Md. Shakil Khan @ Shakil Khan
Village- Pararia Khan tola W.No-13, PS- Sikty Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sharifa Khatoon wife of Akeel Khan, D/o- Sadir Khan Village- Pararia,
Khan Tola W.No-13, PS- Sikty Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anamul Haque

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-04-2024 Heard learned counsel for petitioner, learned A.P.P.

for the State and learned counsel for the informant/O.P.-2.

2. The petitioner, who is husband of informant/O.P.-2,
apprehends his arrest in a case registered for the offences under
Sections 341, 323, 498A, 324, 504, 506 of the Indian Penal
Code.

3. Petitioner is alleged to have committed torture and
harassment to opposite party no. 2 for dowry.

4. Earlier, the matter was referred to the Mediation
Center to resolve the dispute between the parties, but from
perusal of Mediator's Report dated 10.04.2024 (flag 'B'), it
appears that the mediation between the parties has failed.

5. 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.

6. 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 six 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 learned S.D.J.M., Araria in connection with Sikty P.S. Case No. 142 of 2023, 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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