

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72223 of 2023

Arising Out of PS. Case No.-245 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

MD. ASHAR @ MD. ASHAR ANSARI Son of Md. Mehandi Hussain
Resident of Village - Milki, P.S.- Bihpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gudiya Khatoon Wife of Md. Ashar Ansari D/O Lukman Ansari, At present
R/O Fatehpur, P.O. Madarghat, P.S.- Kasba, Dist.- Purnia

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dr. Bidhu Ranjan, Advocate
For the Opposite Party/s :	Mr.Md. Shakir Ahmad, A.P.P.
	Mr. BK Singh, KD Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-07-2024 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. The petitioner, who is husband of opposite party
no.2, apprehends arrest in a case registered for the offence
punishable under Sections 498A/313/406/385 of the Indian
Penal Code.

3. It is submitted by learned counsel for the petitioner
submits that there is general and omnibus allegation against this
petitioner and no specific overt act has been alleged against him.
Petitioner offers and undertakes that he is ready to give
maintenance amount of Rs. 3000/-per month, starting from this
month to the opposite party no.2.

4. In view of the undertaking of learned counsel for
the petitioner that petitioner is ready to give maintenance
amount of Rs. 3000/- per month, in the event of arrest/surrender



within a period of six weeks from today, 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 the Judicial Magistrate 1st class, Purnea in CA Case No. 45 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:-

(i) Opposite party no.2. would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.

(iii) 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.

(iv) 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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