

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72006 of 2023**

Arising Out of PS. Case No.-402 Year-2021 Thana- COMPLAINT CASE District- Araria

Md. Murullah @ Nurullah Sharif @ Md. Nurullah Son Of Abdur Rajjak  
Resident Of Village - Chakai, P.S. - Jokihat, District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jannati Khatoon @ Tetari D/O. Sah Yasin, W/O. Md. Murullah @ Nurullah Sharif @ Md. Nurullah Resident Of Village - Chakai, Ward No.5, P.S. - Jokihat, District - Araria

... .. Opposite Party/s

**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr. Gopal Kumar Jha, Adv.     |
| For the Opposite Party/s | : | Mr. Md. Iftekhar Mahmood, APP |
|                          |   | Mr. Md. Ziaul Quamar, Adv.    |
|                          |   | Ms. Puja Kumari, Adv.         |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      06-05-2024                      Earlier, the matter was referred to Mediation Centre, but the dispute between the parties could not be settled through the process of mediation and as such, mediation failed (report at flag 'M').

2. Heard the parties.

3. The petitioner apprehends his arrest in connection with Complaint Case No. 402C of 2021 registered under Section 498A of the Indian Penal Code.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the Opposite party no. 2. The petitioner offers and undertakes that he is ready to



give maintenance amount of Rs. 3,000/- per month, starting from this month, to opposite party no. 2.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month to the opposite party no. 2, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Araria in connection with Complaint Case No. 402C of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C 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 savings bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the O.P. 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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