

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81163 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- PATEPUR District- Vaishali

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MD SHAKIL S/O LATE MD. SHAHID VILLAGE- CHHAURAH, PS.
GORAUL, IN THE DIST. OF VAISHALI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. JAHEDA KHATOON W/O MD. SHAKIL, D/O SHAMSUL HAQUE
VILLAGE- ABABAKARPUR KWAHI, PS. PATEPUR, IN THE DIST. OF
VAISHALI.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ranjeet Kumar
For the Opposite Party/s :	Mr.Ahmad Ali
	Mrs.Rina Sinha, Adv.
	Mr. Dhirendra Pd. Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 03-07-2024 Earlier, vide order dated 24.01.2024, the matter was referred to Mediation & Conciliation Centre of Patna High Court and from perusal of Mediator's report dated 21.03.2024, it appears that the dispute between the parties was resolved and both parties were agreed to live together, but by filing counter affidavit, learned counsel for opposite party no. 2 submits that opposite party no. 2 is ready to live with her husband (petitioner), but unfortunately her husband (petitioner) is not interested to live with her and therefore, he is not complying the terms of agreement, made between the parties before the Medication & Conciliation Centre.

2. At this stage, learned counsel for the petitioner



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

3. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of ***Rs. 3,000/- (Rupees three thousand) per month*** to the opposite party no. 2, the prayer for anticipatory bail of petitioner is allowed.

4. 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur 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:-

“(A) 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.

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



- (C) 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.
- (D) 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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