

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82317 of 2023

Arising Out of PS. Case No.-972 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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ARSE ALAM SON OF MD. MIKAIL VILLAGE -MOHANPUR WARD NO
1 PS- CHHATARPUR DISTRICT- SUPAUL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MOSRINA KHATOON DAUGHTER OF SHAHID VILLAGE
-MOHANPUR WARD NO 1 PS- CHHATARPUR DISTRICT- SUPAUL

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shyameshwar Kumar Singh, Advocate
For the State	:	Md. Mushtaque Alam, A.P.P.
For the O.P. No. 2	:	Mr. Manoj Kr. Pandey, Advocate
		Ms. Kumari Pallavi, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2024 Heard learned counsel for the parties.

2. The petitioner who is husband of opposite party
No. 2 apprehends arrest in a case registered for the offences
punishable under Sections 498A, 504, 506/34 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. 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.

4. 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 Sub-Divisional Judicial Magistrate, Madhubani in connection with Complaint Case No. 972 of 2018, 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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