

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83870 of 2023

Arising Out of PS. Case No.-207 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Md. Nazim Hassain @ M.N. Hassain Son Of Late Md. Hasim R/O Village- Rasulpur, P.S.- Hayaghat, District- Darbhanga
 2. Mahmadi Bano @ Raushan Son Of Late Md. Hasim R/O Village- Rasulpur, P.S.- Hayaghat, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chaudani Praveen Wife Of Md. Nazim Hassain, D/O Md. Muslim R/O Village- Raypur Bhagwanpur, Post- Gohi, P.S.- Warisnagar, District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Kumar Mishra, Adv.
For the State	:	Mr. Humayou Ahmad Khan, APP
For the O.P. No. 2	:	Mr. Md. Hussamuddin Azad, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-05-2024 Heard the parties.

2. The petitioners apprehend their arrest in connection with C.R. No. 207 of 2020 (T.R. No. 2469 of 2023) registered under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. Learned counsel appearing on behalf of the petitioners submits that the petitioner no. 1 is the husband of the complainant and petitioner no. 2 is mother-in-law of the complainant. The petitioner no. 1 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/complainant.

4. In view of the undertaking of learned counsel for the petitioners that petitioner no. 1 is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month to the opposite party no. 2, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Samastipur in connection with C.R. No. 207 of 2020 (T.R. No. 2469 of 2023), 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 no. 1.

(ii) Petitioner no.1 would deposit the aforesaid maintenance amount per month in the savings bank account of the O.P. No. 2.

(iii) In case, the petitioner no. 1 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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