

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49 of 2024

Arising Out of PS. Case No.-3513 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Intekhab Alam Son Of Late Md. Naushad Alam Resident Of Mohalla -
Bhikhanpur, Gomti No. 3, Tank Lane, P.O. - Bhagalpur, P.S. - Ishakchak,
District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabahat Shaheen Wife Of Md. Intekhab Alam And Daughter Of Md.
Ghulam Sarwar Resident Of Mohalla - Naya Tola, Phulwarisharif, P.S. -
Phulwarisharif, P.O. - Phulwarisharif, District - Patna - 801505, Mob.
8434615088

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Syed Masleh Uddin Ashraf, Advocate Mr. Rana Hason, Advocate
For the Opposite Party/s :		Mr.Umeshanand Pandit, A.P.P. Mr. Rama Kant Yadav, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-06-2024 Heard learned counsel for the petitioner, Mr.

Umeshanand Pandit, learned A.P.P. for the State and learned

counsel for complainant / opposite party no. 2.

2. The petitioner who is husband of

complainant/opposite party no. 2, apprehends his arrest in a

complaint case punishable for the offences under Sections 323,

498(A), 506 of the Indian Penal Code.

3. Petitioner is alleged to have committed torture and

harassment to opposite party no. 2 for dowry.

4. Learned counsel for the petitioner submits that 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/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 Judicial Magistrate 1st Class, Patna/ concerned court in connection with Complaint Case No. 3513(C) of 2022, 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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