

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18065 of 2025

Arising Out of PS. Case No.-22 Year-2022 Thana- MAHILA PS District- Darbhanga

Md. Parwez @ Parwez Son of Md. Barik Resident of Village - Nari, Police
Station - Ghanshyampur, District - Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulsana Khatoon, Wife of Md. Parwez @ Parwez, Daughter of Md. Moti
Resident of Village - Akbarpur Bank, P.S. - Biraul, District - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Tooba Hera- Advocate Mr. Pratyush- Advocate Mr. Thakur Brajesh Singh- Advocate
For the State	:	Mr. Md. Nazir Ansari- A.P.P.
For the Informant	:	Dr. Abdus Shakoor- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 11-07-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the informant.
2. The petitioner and the opposite party no.2 in
compliance of the order dated 27.06.2025 are present in the
Court.
3. The learned counsel appearing on behalf of the
petitioner submits that petitioner, being husband, has been
falsely implicated in the instant case by the opposite party no.2.
It is next submitted that the relationship in between the
petitioner and the opposite party no.2 has deteriorated to an



extent where it is not possible to revive the conjugal relationship, but then, petitioner is aware of his responsibility and is willing to pay a monthly maintenance of Rs.6,000/- which shall commence from 21.07.2025. It is next submitted that may be with passage of time and on intervention of well-wishers, the parties may compromise and resolve their dispute amicably.

4. The learned counsel appearing on behalf of the opposite party no.2 also based on instruction does not oppose the anticipatory bail application of the petitioner in view of the submissions made by the learned counsel appearing on behalf of the petitioner. It is also submitted that no useful purpose would be served by sending the petitioner to jail as chances of future reconciliation will get marred. The learned counsel appearing on behalf of the opposite party no.2 next submits that opposite party no.2 has filed a maintenance Case in the Court of the learned Principal Judge, Family Court, Darbhanga in which notices have been issued, but then, petitioner is not appearing, on which the learned counsel appearing on behalf of the petitioner submits that petitioner was not aware of the pendency of the maintenance case, but then, since now he has been informed, the petitioner will appear in the maintenance case



which is pending adjudication in the Court of the learned Principal Judge, Family Court, Darbhanga.

5. At this stage, the learned counsel appearing on behalf of the opposite party no.2 submits that he will furnish the bank account number of the opposite party no.2 on the whatsapp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner, so that the monthly maintenance as agreed commences from the 21.07.2025.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Biraul Mahila P. S. Case No.22 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the opposite party



no.2 shall be at liberty to file an application seeking cancellation of anticipatory bail of the petitioner, in the event, if the petitioner does not pay the monthly maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

