

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18439 of 2025

Arising Out of PS. Case No.-2840 Year-2018 Thana- COMPLAINT CASE District- Araria

MD. SAHZAD ALAM @ MD. SHAHZAD ALAM @ MD. SHAHAJAD @
MD. SHAHZAD Son of Late Shaukat @ Md. Soukat Resident of village -
Balwat, P.S.- Tarabari, District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bibi Nilophar Wife of Md. Sahzad Alam @ Md. Shahzad Alam @ Md. Shahajad @ Md. Shahzad D/o - Md. Abduss Samad, R/o village - Baturbari, Tola Akali, P.S.- Tarabari, District - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Nematullah, Advocate
For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 25-06-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Complaint Case No. 2840c of 2018 for the offence punishable under Sections 498(A) of the Indian Penal Code & 3/4 of the D.P. Act.

3. Pursuant to the last order, the couple is present in the Court and the lady has informed that the petitioner has solemnized second marriage and from the second wife, two children are also there. She submits that in that background, for the betterment of her 10 years old child, she does not want to continue with the person (husband).



4. Learned counsel representing the informant has provided a copy of the order passed by the learned Principal Judge, Family Court, Araria in Maintenance Case No. 62 of 2019 dated 27.09.2022 by which direction was given to pay Rs. 4000/- for the lady (wife) and Rs. 2000/- for the child. He submits that no payment is being made.

5. Learned counsel for the petitioner concedes that no backlog has been cleared. It is for the Family Court to take immediate steps to see to it that the backlog pursuant to the order passed by it is cleared by the petitioner.

6. This Court is of the view that beginning June, 2025, the petitioner will have to pay the amount as directed by the Family Court unless there is any order for its stay.

7. The payment shall be made by 10th of every month in the Bank account of the lady-informant and failure to do so, the informant shall be free to take steps for cancellation of his bail bond.

8. The petitioner undertakes to abide by the order passed by this Court.

9. Considering the aforesaid facts and since he has remained in custody from 04.01.2025 till May, 2025 after which the provisional bail was granted to him vide an order dated



16.05.2025, in that background, this Court is inclined to confirm the said provisional bail. Accordingly, ordered.

10. The bail application stands disposed of.

(Rajiv Roy, J)

Ravi/-

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