

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49119 of 2024

Arising Out of PS. Case No.-1611 Year-2022 Thana- COMPLAINT CASE District- Araria

Md. Shamim Son of Late Saidur Rahman Resident of Vill- Nawwa Nankar,
P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Farhat Jhan D/O- Mir Mohammad Saleh, Wife of Md. Shamim Resident of Vill- Nauwa Nankar, P.S.- Jokihat, District- Araria, At Resident of Vill- Millatanagar, Ward No. 2, Araria, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

8 18-04-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the complainant.

2. Today in the proceedings, both the parties are also present along with their respective counsels.

3. After a brief discussion with the parties, it has transpired that the mediation has failed and in respect of the fact that the husband has been remarried, there is no scope of reunion of the husband and the wife.

4. At this stage, the petitioner offers to give Rs. 7500/- (rupees seven thousand five hundred) per month to opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

5. In such view of the matter, let the above named



petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-Ist Class, Araria in connection with Complaint Case No. 1611(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

6. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

7. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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