

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47628 of 2025

Arising Out of PS. Case No.-98 Year-2020 Thana- KATIHAR COMPLAINT CASE District-
Katihar

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Sayeed @ Sayeed Mohammad Musa son of Late Md. Musa Madni Village-
Shiripur, mallahtoli, Ps- Baisi, Dist- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nasreen Afza wife of Sayeed Village- Shiripur, mallahtoli, Ps- Baisi, Dist-
Purnia At present Mohalla- Officer Colony Budhuchak, Katihar, Ps-
Sahayak katihar, Dist- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

Mr. Kumar Gaurav

Mr. Harish Chandra Patel

For the Opposite Party/s : Mr. Mohammad Sufyan

Mr. Raghvendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

5 10-12-2025 1. Heard learned counsel for the petitioner, learned

APP for the State and the learned counsel appearing on behalf of

the opposite party no.2.

2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Sections 498(A) of the Indian Penal Code and Section 4 of the

D.P. Act.

3. The learned counsel for the petitioner submits that

the petitioner being husband has been falsely implicated in the

instant case by the opposite party no.2. It is further submitted

that 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. It is also fairly submitted that petitioner, according to his religion, has performed his second marriage. It is also submitted that may be with passage of time and on intervention of well-wishers, the parties may resolve the dispute amicably, as such, no purpose would be served by sending the petitioner to jail as petitioner being husband is aware of his responsibility towards the opposite party no.2 and the child and thus is willing to pay a monthly maintenance of Rs.18,000/- (Rs. Eighteen Thousand), which shall commence from 23.12.2025.

4. The learned counsel appearing on behalf of the opposite party no.2, also based on instruction, submits that since petitioner is willing to pay a monthly maintenance of Rs.18,000/- as such, no purpose would be served by sending him to jail and also chances of future reconciliation, if any, will also get marred. The learned counsel next submits that he will whatsapp the bank account number 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 23.12.2025.



5. After hearing the learned counsel for the parties, 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 anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with ABP No.265 of 2025 arising out of C.A. Case No.98 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. 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.

8. It is further made clear that the present maintenance will stop, the moment maintenance is fixed by a Court of competent jurisdiction.

(Satyavrat Verma, J)

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