

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66808 of 2025

In
CRIMINAL MISCELLANEOUS No.25541 of 2025

Arising Out of PS. Case No.-27 Year-2023 Thana- MAHILA PS District- Jehanabad

Md. Danish Imam @ Danish Mallick @ Danish Imam, S/O Khalid Imman @ Ali Imam @ Ali Imam Akhtar, R/O Village- Mohalla- Irki Near Urdu Primary School, Eidgah Masjid Road, P.S- Jehanabad, Distt.- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahwar Zarrin, W/O Danish Imam, D/O Md. Shankar Ali, R/O Village- Shabbait, P.S- Nalanda, Distt.- Nalanda, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Syed Alamdar Hussain, Advocate. Mr. Shashi Bhushan Kumar, Advocate.
For the State	:	Mr. Shailendra Kumar Singh, APP
For the O.P. No. 2	:	Mr. Manoj Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 01-12-2025 The present petition has been filed by the petitioner for modification of the condition as stipulated in bail order dated 23.07.2025 passed by this Court in Cr. Misc. No. 25541 of 2025 whereby the petitioner is accused in Jehanabad Mahila P.S. Case No. 27 of 2023 lodged by his wife/Shahwar Zarrin. As per one of the stipulated conditions in the bail order, the petitioner can not leave the country without permission of the Court.

2. However, learned counsel for the petitioner submits that the petitioner has been already working as Health Information and Communication Technology Analyst in the



Hamad Medical Corporation, situated at Qatar. Hence, he is praying for permission to the petitioner to continue working at Qatar subject to terms and conditions as may be stipulated by this Court.

3. Learned counsel for the Opposite Party No.2/wife of the petitioner submits that besides Jehanabad Mahila P.S. Case No. 27 of 2023, one Maintenance Case bearing No. 131 of 2024 has been filed by the Opposite Party No. 2/ wife of the petitioner in the court of Principal Judge, Family Court, Nalanda at Bihar Sharif in which the petitioner/husband has not appeared and the Maintenance Case is fixed for appearance of the petitioner on 27.01.2026 and he is required to be present there. He further submits that the Family Court is mandatorily required to conduct a reconciliation proceeding between the parties. Hence, the petitioner may be directed to appear in the Maintenance Case on the date already fixed and participate in the reconciliation proceeding and, thereafter, he may go back to Qatar at his working place and whenever his presence would be required either in Jehanabad Mahila P.S. Case No.27 of 2023 or Maintenance Case No. 131 of 2024, he should be directed to attend the Court.

4. Learned counsel for the Opposite Party No. 2 has



no grievance if the petitioner is allowed to continue his work in Qatar subject to the aforesaid terms and conditions.

5. Accordingly, the present petition is allowed subject to the following conditions:

(i) The petitioner will attend the Maintenance Case bearing No. 131 of 2024, Nalanda at Bihar Sharif and, thereafter, learned Principal Judge, Family Court is directed to conduct reconciliation proceeding within a week thereafter and only thereafter, he would leave the country to work at his place of working. As and when, the petitioner would be required by learned Family Court in the Maintenance Case, he will have to be present there.

(ii) The petitioner is also required to attend Jehanabad Mahila P.S. Case No. 27 of 2023 whenever he would be required by the Court.

6. It is made clear that in case of any violation of aforesaid terms and conditions, the bail granted to the petitioner vide order dated 23.07.2025 passed in Cr. Misc. No. 25541 of 2025 would be liable to be cancelled on an application filed by the Opposite Party No.2/wife.

7. Learned counsel for the petitioner supplies E-mail ID of the petitioner so that the service of notice or summons of



the Court could be served. If the notice or summons is sent by the Court on the given E-mail, the petitioner can not deny the non-service of notice and he will have to attend the court if notice/summmmons isserved through that E-mail of the petitioner. The E-mail ID as given by learned counsel for the petitioner is *dimallick@hotmail.com*

(Jitendra Kumar, J)

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