

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90331 of 2024

Arising Out of PS. Case No.-371 Year-2023 Thana- COMPLAINT CASE - HILSA District-
Nalanda

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Md. Tabish Alam @ Md. Tavis Alam Son of Md. Anwar Alam Resident of
Village - Neyamatpur, Post Office -Pahalkutti, Police Station - Mahakar
(Sarbhada), District - Gaya, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Subi Praveen Daughter of Mohammad Kazim, Wife of Md. Tabish Alam
Resident of Village - Dhibri, P.O. - Maulana Chak, P.S. - Khodaganj, District
- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

8 02-12-2025 Heard learned counsel for the petitioner as well as

learned APP for the State and the learned counsel for O.P. No. 2.

2. The petitioner apprehends his arrest in connection
with Madhepura Complaint Case No. 371 of 2023, registered
for the offences punishable under Sections 498(A)/34 of the
Indian Penal Code.

3. It is a case of matrimonial dispute.

4. Vide order dated 30.01.2025, the matter was
referred to the Patna High Court Mediation and Conciliation
Centre. The report of the learned Mediator dated 08.05.2025
shows that the matter could not be resolved between the parties



and therefore, the mediation failed.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent. He has submitted further that the petitioner is ready to pay Rs. 8,000/- per month as interim maintenance to opposite party no. 2.

6. On the other hand, the learned counsel for O.P. No. 2 has submitted that the complainant is ready to go with the petitioner.

7. Considering the above-mentioned facts and circumstances, especially the fact that the petitioner is ready to pay Rs. 8,000/- per month as interim maintenance to opposite party no. 2, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Hilsa (Nalanda) in connection with Complaint Case No. 371 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

8. The petitioner is directed to pay Rs. 8,000/- per month as interim maintenance to opposite party no. 2 (the complainant). The interim maintenance will be subject to



any other order granted by any other Court of competent jurisdiction granting maintenance to Opposite Party No. 2 (the complainant).

(Nawneet Kumar Pandey, J)

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