

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51611 of 2015

Arising Out of PS.Case No. -223 Year- 2015 Thana -BAHERA District- DARBHANGA

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Md. Hannan Ansari @ Hannan Ansari, S/o Late Mozaffar Ali, resident of
village- Motipur, ps.- Bahera, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhusudan Kumar, Advocate

For the Opposite Party/s : Mr. Ram Chandra Sahni (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-11-2015 Heard learned counsel for the petitioner and the

State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand. It is also alleged that the accused persons assaulted the informant and tried to kill her.

It is submitted by learned counsel for the petitioner that the petitioner admits the marriage with the informant. There is nothing on record to suggest that any injury has been caused to the informant. It is further

submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 8 of the petition which reads as follows:-

“That it is pertinent to state here that the F.I.R. is purely concocted and false. After thought it has been lodged by the informant. The petitioner is ready to keep the informant as his wife very happily but as a matter of fact she herself does not want to live in her sasural. Even she does not want to work of family”.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Bahera P.S. Case No. 223 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial

harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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