

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16027 of 2017

Arising Out of PS.Case No. -751 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Tabrez Ansari, Son of Gani Ansari, Resident of Village- Bhelahi , P.S.-
Chhauradano, Distt.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ajama Khatun, w/o Tabrez Ansari, D/o Gani Mohamad, At present
Resident of Village- Banjhula, P.S.- Ghorsahan, District- East
Chmparan, Motihari.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 4 29-06-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Complaint
Case No. C-751 of 2014 instituted for the offence under Sections
498A of the Indian Penal Code and Sections 3/4 of Dowry
Prohibition Act.
- Petitioner is husband of the complainant. Notice was
issued which was validly served to the complainant (opposite
party No. 2) but opposite party No. 2 did not appear.
- Counsel for the petitioner has submitted that he is
ready to keep the complaint (opposite party No. 2) with all dignity
and care.
- Accordingly, this application is disposed off with



direction to petitioner to surrender before the Court below i.e. Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, Motihari, within a period of four weeks from today in connection with Complaint Case No.C-751 of 2014, along with Affidavit that he will keep the wife with full dignity and care. In the event the Court below finds that petitioner is ready to keep his wife with full dignity and care, the court below will release the petitioner on provisional bail to its own satisfaction for a period of six months and will issue notice to complainant (wife) and on appearance of wife, will monitor the relationship between the parties by calling both of them every months in the court below and in the event the court below finds that good conjugal relationship has been restored between husband and wife and wife does not make any complain about physical and mental torture committed by the petitioner during the period of her stay with him or court below finds that good conjugal relationship could not be restored on account of indifferent attitude of wife or the wife does not appear even after valid service of notice, the court below will confirm the provisional bail of the petitioner after six months.

It is made clear that in the event the petitioner does not surrender in the court below along with Affidavit, as ordered above, or the petitioner refuses to keep the wife on her appearance in court below or wife during the period of monitoring makes



complain about physical and mental torture committed by the petitioner, it will be open to the court below to pass appropriate order in accordance with law including cancellation of provisional bail of the petitioner without taking into consideration the observations made above by this Court.

Application is disposed off with aforesaid observation.

S.Ali/-

(Sanjay Priya, J)

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