

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17350 of 2017

Arising Out of PS.Case No. -606 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA

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Mustaquim Ansari @ Mushtaquim Ansari @ Md. Mustakimp Son of Md. Hashim Ansari Resident of Village- Shamaspur, Police Station- Belaganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Raunak Khatoon, Wife of Mustaquim Ansari @ Mushtaquim Ansari @ Md. Mustakimp, Daughter of Ahtasam Ansari, Resident of Village- Shamaspur, Police Station- Belaganj, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 04-05-2017 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 606/2016, registered for the offences punishable under Section 498(A) other section of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act.

The wife made allegation that the petitioner and other family members subjecting her to physical and mental torture for non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the wife of the petitioner filed this case making false and frivolous allegation only on suspicion that the petitioner got illicit relation



with his own sister-in-law (Bhabhi). The petitioner is ready to keep his wife on any undertaking.

Considering the facts aforesaid and the fact that petitioner is ready to keep his wife properly on any undertaking, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on provisional bail of six months on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Complaint Case No. 606/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

Thereafter, the court below shall make all efforts for resolution of the dispute between husband and wife, if the husband (petitioner) keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner. If the petitioner fails to keep his wife properly, learned court below shall pass order in accordance with the law, immediately after lapse of six months on provisional bail.

(Prabhat Kumar Jha, J.)

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