

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5079 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -MAHILA P.S. District- MUNGER

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1. Md. Akil Ansari, S/o Md. Noor Ansari, R/o Village- Hussain Buxlane
Kaswa, P.S.- Nath Nagar, Distt- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kahkashan Parween, wife of Md. Akil Ansari, D/o Md. Usman Ali,
resident of Mirgaya Chak, P.S.- Kotwali, District- Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 22-06-2017 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor. Nobody appears on behalf

of the informant although name of learned counsel is appearing in

the daily cause list.

The petitioner apprehends his arrest in Mahila P.S.
case No. 12 of 2016 under Section 494, 498A, 34 of the Indian
Penal Code and under Section 34 of Dowry Prohibition Act.

The informant alleged that she was married to the
petitioner but when she went to her in-laws house the petitioner
and others began to demand Rs. two lacs as additional dowry. The
informant came to know that her husband was earlier married to
Farida Khatoon.



The learned counsel for the petitioner submits that petitioner was earlier married to Farida Khatoon and the informant was knowing this fact but thereafter she solemnized marriage with the petitioner. The petitioner never demanded any dowry. The petitioner is still ready to keep his wife with full honour and dignity. The informant herself shows her unwillingness to live with the petitioner as it appears from the order of learned Sessions Judge.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned 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 bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in Mahila P.S. Case No. 12 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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