

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45020 of 2016

Arising Out of PS.Case No. -2966 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Md. Ahsan Ansari @ Ahsan Ansari son of Hamid Ansari @ Abdul
Hamid Ansari Resident of village - Gosai Manjha, Police Station -
Fulwariya, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chandtara Khatoon wife of Md. Ahsan Ansari @ Ahsan Ansari Resident
of village - Gosai Manjha, Police Station - Fulwariya, District - Gopalganj.
At present daughter of Jann Mohammad Ansari @ Jann Mohammad @
Subi Miyan, resident of village - Chhitauna, Police Station - Kateya, District
- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

7 19-05-2017 Heard learned counsels for the petitioner, complainant
and the State.

The petitioner being the husband of the complainant is
apprehending arrest in a complaint case in which process has been
directed to be issued after cognizance being taken for the offences
punishable under Sections 498A, 406 and 323 of the Indian Penal
Code.

The basic accusation is of torture and making assault.

It is submitted by the learned counsel for the petitioner



that the petitioner admits his marriage with the complainant. Since the complainant herself deserted the petitioner and refused to reside with the petitioner, hence, the petitioner filed Matrimonial Suit No. 165 of 2015 for dissolution of marriage and thereafter the present complaint has been filed.

A joint affidavit has been filed on behalf of the petitioner and the complainant stipulating therein that they have decided to part ways in terms of payment of one time settlement amount of rupees four lacs. Learned counsel for the petitioner hands over two drafts of rupees two lacs each dated 10.4.2017 and 12.4.2017 drawn on Canara Bank to the learned counsel for the complainant. It is expected from the learned counsel for the complainant to make endorsement to that effect on record. The parties have also decided to file appropriate application with regard to the present stand of not pursuing the cases pending between the parties, i.e., the present case, Misc. Case No. 201 of 2015 and Matrimonial Suit No. 165 of 2015 filed for dissolution of marriage. Both sides further agree to get the issue of custody of children, who are at present with the petitioner, decided in appropriate proceeding.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the



event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Gopalganj, in connection with Complaint Case No. 2966 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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