

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39861 of 2017

Arising Out of PS.Case No. -318 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. GYASUDDIN ANSARI @ GAYASUDDIN, son of Maksud Ansari, all
resident of village-Haruhani, P.S.-Dhaka, District-East Champaran.
.... Petitioner/s

Versus

1. The State of Bihar
2. Rumana Khatoon, wife of Gyasuddin Ansari, daughter of Navi
Mohammed Ansari, all resident of village-Haruhani, P.S.-Dhaka,
District-East Champaran.
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Md. Ansarul Haque, APP
Mr. Abhishek Kumar @ Sonu Babu, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 06-02-2018 Heard learned counsel for the petitioner and learned
APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in **Complaint Case**
No.C-318 of 2016 instituted for the offence under Section(s)
498-A, 406 Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act pending in the Court of the **Judicial Magistrate,**
1st class, Sikrahana at Dhaka, Motihari, East Champaran.

Both husband and wife have appeared in Chambers.
Father of the husband and parents of the wife have also appeared.

Petitioner submits that he is ready to keep the wife-
Opposite Party No.2 with full dignity.

Opposite Party No.2 is also ready to live with the
petitioner.



Father of girl has submitted that process under Section 82 Cr. P. C. has already been issued against the petitioner. Order-sheet of the Court below has been annexed. From the order dated 17.07.2017, it appears that the Court below has ordered for issuance of process under Section 82 Cr. P. C. against the petitioner.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

Petitioner as well as Opposite Party No.2 submits that they want to live together.

In such circumstances, petitioner is directed to surrender before the Court below within a period of four weeks from the date of receipt of copy of this order in the Court below along with wife-Opposite Party No.2 as well as Affidavit that he will keep the wife-Opposite Party No.2 with full dignity and care and will not commit any physical and mental torture and, in that event, the Court below will consider the prayer of the petitioner for bail in accordance with law preferably on the same day.

(Sanjay Priya, J)

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