

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70022 of 2018

Arising Out of PS. Case No.-813 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Ansar Ali @ Ansarul Haque, Son of Dukha, Resident of Village-Puria, P.S.-
Abadpur, District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sahanaj Khatun, Wife of Ansar Alam @ Ansar Ali, D/o Manjoor Alam,
Resident of Village-Jatahar, P.S. Adadpur, District-Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir
For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsels for the petitioner and the

State.

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

The basic accusation is of torture and driving out the complainant from her matrimonial house.

Learned counsel for the petitioner submits that the



petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour, a statement to that effect has been made in paragraph no.8 of the petition which reads as follows:-

“8. That it is stated that the petitioner is always ready to keep the complainant with full dignity and honour.”

Considering the nature of accusation and the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for a period of six months 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 **S.D.J.M., Katihar** in connection with **C.A. Case No. 813 of 2018**, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned Court below issue notice to appear before the learned Court below and on her appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned Court below in three eventualities (i) if



the matrimonial harmony is substantially restored, or (ii) if the complainant fails to appear before the learned court below, or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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