

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8212 of 2019**

Arising Out of PS. Case No.-8 Year-2014 Thana- KHAIRA District- Jamui

MAKSUD MIAN @ MAKSUD ANSARI S/o Hanif Mian R/o Village-  
Salaiya,P.S- Khaira, Distt- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Singh  
For the Opposite Party/s : Mr.Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      23-04-2019                      This application, for grant of anticipatory bail, arises out of Khaira P.S. Case No. 8 of 2014, disclosing offences under Sections 341, 323, 498(A), 379, 504/34 of the Indian Penal Code.

Petitioner happens to be husband of the informant and allegation against the petitioner is of abusing and assaulting the informant and ousting her from the house.

Submission of learned counsel for the petitioner is that from the F.I.R. itself it is evident that the petitioner has divorced the informant and as such, in retaliation, the informant has filed this present false case. It has also been submitted that a case of maintenance has also been filed by the informant but the



same has been dismissed for non prosecution.

Heard learned as well as learned counsel for the informant opposed the prayer for bail. It has been submitted by learned counsel for the informant that petitioner ousted the informant and her six years daughter from his house and even no maintenance is being paid to her. However, learned counsel for the informant fairly acceded the fact that a maintenance case was filed by the informant, which was dismissed for lack of pairvi.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Khaira P.S. Case No. 8 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is further subject to the condition that if any maintenance case is filed by the informant, the petitioner shall cooperate in disposal of the same and will abide by the order passed in the maintenance case, otherwise, informant will be at



liberty to move the court below for cancellation of bail bonds of  
the petitioner.

**(Vinod Kumar Sinha, J)**

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