

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70579 of 2018

Arising Out of PS. Case No.-700 Year-2016 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Md. Nashim Ansari @ Nashim Ansari, Son of Md. Alamgir Ansari, Resident of Mohalla-8/11A, Dr. H.K. Chatterjee Street, Police Station-Belur, District-Hawrah West Bengal.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shabana Parveen, Wife of Md. Nashim Ansari, Resident of Mohalla-8/11A, Dr. H.K. Chatterjee Street, Police Station-Belur, District-Hawrah West Bengal. At Present Daughter of Abdul Sattar Ansari, Resident of Village P.O.P.S.-Narsariganj, District-Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-04-2019 Heard learned counsel for the petitioner, learned counsel for the complainant and learned APP for the State.

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

The prosecution case as per the complaint petition is to the effect that the marriage between the complainant and the petitioner was performed 01.04.2015 but subsequently, for non-fulfillment of further dowry demand of Rs.2,50,000/-, torture



was inflicted upon the complainant and ultimately, the complainant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph 12 of the petition, which reads as follows:-

“That, the petitioner neither made any demand nor tortured the complainant and the petitioner is still ready to keep his wife with full honour and dignity.”

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned Court below on 6th of May, 2019 when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Sub-divisional Judicial Magistrate, Bikramganj, District
- Rohtas in connection with Complaint Case No. 700 of 2016,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

The provisional bail of the petitioner will be
confirmed by the 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)

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