

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21137 of 2019

Arising Out of PS. Case No.-293 Year-2018 Thana- COMPLAINT CASE District- Araria

MD. MOJAHID ANSARI @ MUJAHID, S/o Late Md. Moin Ansari, R/o
village- Pategna Ward No. 14, P.S.- Tarabari, District- Araria

... .. Petitioner

Versus

1. The State of Bihar
2. Bibi Roushan Ara @ Reshmi, D/o Md. Suleman Ansari, W/o Md. Mojahid Ansari R/o village- Pategna Ward No. 14, P.S.- Tarabari, District- Araria

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 293-C of 2018 in which cognizance has been taken under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is that he assaulted the opposite party No.2-wife with respect to demand of 7 decimals of land and ousted her from the house. It is also alleged that is residing with another lady at Noida where he is working as a contractor.

Submission of learned counsel for the petitioner is that he is still ready to keep opposite party No.2 with him with dignity and care. However, learned counsel for opposite party



No.12 has opposed the same on the ground that she is not interested in residing with the petitioner as he has already kept one lady with him and earlier an application under Section 9 of the Hindu Marriage Act has been filed by the petitioner, which was dismissed for non-prosecution and opposite party No.2 has already filed a maintenance case in which petitioner has appeared but till date no amount of maintenance has been given to opposite party No.2 by the petitioner.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with a direction to the petitioner to surrender before the court below by 2.7.2019 and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Araria, in connection with Complaint Case No. 293-C of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition is that petitioner has to pay Rs.5,000/- per month to opposite party No.2 till any interim



or final order is passed by the family court.

(Vinod Kumar Sinha, J)

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