

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25315 of 2019

Arising Out of PS. Case No.-213 Year-2018 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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ABDUL BARIK ANSARI @ ADUL BARIK, Son of Late Abdul Latif,
Resident of Village - Hariyath, P.S.- Alinagar, Distt - Darbhanga.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rubaida Khatoon, Wife of Abdul Barik Ansari, Resident of Village -
Hariyath, P.S.- Alinagar, Distt - Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhusudan Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-07-2019 Heard learned counsel for the petitioner and learned
counsel representing the State as well as learned counsel for the
informant.

Petitioner, in the present case, is the husband of
opposite party no.2 and is seeking anticipatory bail in
connection with Complaint Case vide C.R. No.213 of 2018
registered for the offence punishable under Sections 376, 498A,
441, 323, 504 and 406 of the Indian Penal Code.

Learned counsel for the petitioner submits that on
perusal of the complaint petition (Annexure-1) it would appear
that this petitioner along with his first wife and two sons aged
about 22 years and 18 years respectively have been made



accused. It is submitted that as per the complainant herself she had married the petitioner about 15 years ago, therefore, it is evident that she had married with petitioner knowing fully well that the petitioner had got two sons from his first wife. It is submitted that now after 15 years, the opposite party no.2 has left the matrimonial home and is not willing to live together with the family.

Learned counsel for the opposite party no.2 has opposed the prayer for anticipatory bail saying that the petitioner is neglecting the opposite party no.2.

Having heard learned counsel for the petitioner and learned counsel representing the complainant, in the given facts and circumstances of the case where the marriage is 15 years old and it is evident that in the complaint petition the complainant herself states that she is earning her own livelihood and that she married the petitioner after taking divorce from previous husband Md. Daud, in the nature of the allegations, let the petitioner above named, in case of his arrest or surrender within four weeks from today in connection with Complaint Case vide C.R.No.213 of 2018, be released on bail on execution of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned



A.C.J.M., Benipur, Darbhanga, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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