

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29687 of 2019**

Arising Out of PS. Case No.-1401 Year-2015 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Md. Hasnain, Son of Md. Naseem Ansari, Resident of Village-
Pakribarawan,P.S-Pakribarawan, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajiya Khatoon, Wife of Md. Hasnain, Resident of Village and P.S-
Pakribarawan, District-Nawada at present D/O Md. Mithu Mian, Village-
Samai Dhibaree, P.S.-Mufassil, District-Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-07-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1401 of 2015, disclosing

offences under Section 498A of IPC and Section 4 of Dowry

Prohibition Act.

Allegation as per complaint petition is that

complainant was married with the petitioner in the year 2007

and she has three daughters from her husband and thereafter, the

petitioner started torturing her and lastly ousted her from the

house, due to non-fulfillment of demand of Rs.2,00,000/-.

Submission of the learned counsel for the petitioner is

that whole allegation is false and concocted and the daughters

are still residing with the petitioner. Further submission is that



petitioner is still ready to keep her with dignity and care, but the opposite party no.2 is not ready to live with the petitioner and she claims that petitioner is threatening to marry again.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, they have opposed the prayer for anticipatory bail on the ground that petitioner had married with another lady and as such, it is not possible for her to reside with the petitioner.

Having heard both sides, considering the above submissions and perused the statement of the complainant-wife on Solemnly Affirmed, from which, it appears that she has stated that petitioner is threatening to marry again, but she has stated that petitioner has already married with another lady, 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) with two sureties of the like amount to the satisfaction of learned S.D.J.M, Nawada, in connection with Complaint Case No. 1401 of 2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that if any, maintenance case is being filed by the opposite party no.2, the



petitioner has to co-operate in disposal of the same.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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