

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44848 of 2019

Arising Out of PS. Case No.-2366 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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TUFAIL ANSARI S/O Late Hussain Ansari Residence of Village- Laxmipur
Chriharwa, P.S.- Chiraiya, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Roshani Khatoon W/O Tufail Ansari, D/O Shagir Ahamad Residence of
Village- Laxmipur Churiharwa, P.S.- Chiraiya, Dist.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-09-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. C2366 of 2018,

corresponding to Trial No. 2315 of 2019, in which cognizance

has been taken under Section 498A of the Indian Penal Code

and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be

husband of complainant, is that he subjected the complainant-

wife to cruelty and ousted from the house with respect to

demand of Rs.1 lac.

Submission of learned counsel for the petitioner is

that the whole allegation is false and concocted and he has filed

a divorce case being Matrimonial Case No. 49 of 2019 before



the Family Court, Motihari as when she was residing with him at Bombay she fled away from there he is still ready to keep her with dignity and care. On the other hand, learned counsel for opposite party No.2 has submitted that she is also ready to reside with the petitioner if she is allowed to live with dignity and care.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender before the court below on 17.10.2019, on that day opposite party No.2 shall also remain present in court. On filing of an affidavit by the petitioner that he is ready to keep opposite party No.2 with dignity and care, the court below shall release the petitioner on provisional bail for a period of six months and during that period both the parties to appear in the court below in fourth week of every month, so that the court may watch their conduct and marital relationship and once the court is satisfied with their conduct, specially the conduct of the petitioner, the court below shall confirm the bail bonds of the petitioner, otherwise the court below is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the petitioner. Needless to say that if both the parties are



residing together peacefully, petitioner shall withdraw the said Matrimonial case.

Let a copy of this order be communicated to the learned Principal Judge, Family Court, Motihari.

(Vinod Kumar Sinha, J)

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