

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60727 of 2019

Arising Out of PS. Case No.-459 Year-2017 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Mohd. Imteyaz @ Md. Imteyaz Ansari, Son of Md Sakir @ Munna @ Md. Munna, Resident of Noon Ki Chauraha, Kashmir Kothi, Yatim Khana, P.S.- Khajekalan, District- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Razia Sultan, D/O - Md. Mozib, Resident of Village - Narayanpur, P.S.- Kako, District- Jehanabad

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-09-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 459 of 2017, disclosing offences under Sections 498A and 323 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Petitioner happens to be the husband of the complainant. There is allegation of demand of dowry, for that assaulted her.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with full dignity and care.



On the other hand, the opposite party no.2 has appeared and opposed the prayer for anticipatory bail of the petitioner on the ground that earlier also a written petition was filed by the complainant before the A.S.P. Jehanabad, who sent the same to Mahila P. S. Jehanabad, where the petitioner gave written assurance to keep her with full dignity and on that he was released, but later on, ousted her from the house after snatching her all belonging, due to which, the present case has been filed. The above facts will appear from the impugned order.

Having heard both sides, as the matter relates to marital relationship between the parties, as such this application is disposed of with a direction to the petitioner to surrender before the learned court below within a period of two weeks from the date of receipt of certified copy of this order, on surrender, he will be released on provisional bail. During that period, the learned court below shall issue a notice to the opposite party no.2-complainant. On appearance of the opposite party no.2, if she is ready to reside with the petitioner, he shall watch this conduct for some time and once being satisfied with the conduct, pass an order confirming the bail bonds of the petitioner. However, if she is not ready to reside with the



petitioner, the learned court below shall pass an order after hearing both the parties, either confirm the bail bonds of the petitioner or pass any other order or orders as may be deemed fit and proper.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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