

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67114 of 2019

Arising Out of PS. Case No.-672 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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MD. ARMAN ANSARI Son of Md. Idris Ansari Resident of Village - Sohar
Bigha, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Tabassum Shamima Wife of Md. Arman Ansari Resident of Village - Sohar
Bigha, P.S.- Barun, District- Aurangabad. At present D/O - Shamim Banarsi,
Resident of Village - Nawadih Road, P.S.- Aurangabad Town, District-
Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuvan Narayan
For the Opposite Party/s : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-10-2019 This application, for grant of anticipatory bail,

arises out of Complaint Case No. 672 of 2018 , disclosing

offences under Sections 323, 379, 498(A) of the Indian Penal

Code and Section 4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant

and allegation against him is that just after three months of

marriage, he ousted the complainant from matrimonial house for

demand of dowry of Rs. Five Lakh and now complainant is

living in her parental house.

Submission of learned counsel for the petitioner is

that he is still ready to keep her with full honour and dignity,



which will appear from the fact that he has filed a case under Section 9 of the Hindu Marriage Act for restitution of conjugal rights.

Heard learned A.P.P. also and perused the impugned order, from which, it appears that the learned Sessions Judge has taken steps for conciliation of dispute between the parties and had referred the matter to Lok Adalat but in the Lok Adalat none of the parties appeared.

In such view of the matter, considering the conduct of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner, however, he is at liberty to approach the complainant and persuade her to live with him and if she is ready to reside with the petitioner, petitioner has to make such submission before the court below while praying for grant of regular bail and the court below after considering the aforesaid aspect shall dispose of the prayer for regular bail of the petitioner.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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