

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13159 of 2020

Arising Out of PS. Case No.-293 Year-2018 Thana- COMPLAINT CASE District- Araria

MD. MOJAHID ANSARI @ MUJAHID @ MOJAHID S/O Late Md. Main
Ansari R/O Village - Palsi Patengna, Wad No. 14, P.S. - Tarabari, District -
Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Raushan Ara @ Reshmi W/O Md. Mojahid Ansari @ Mojahid D/O Md.
Suleman Ansari R/O Village - Palsi Patengna, Wad No. 14, P.S. - Tarabari,
District - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-03-2020 Heard both sides.

Petitioner seeks bail in Complaint Case No.293C of
2018 registered under Section 498A of the IPC and under
Section 4 of the Dowry Prohibition Act.

The gist of the allegation is that the petitioner being
the husband subjected his wife (complainant) to different sorts
of torture due to non-fulfilment of demand of dowry and
ultimately the petitioner drove her out from the house.

Learned counsel for the petitioner submits that on
account of some misunderstanding that the petitioner has got
illicit relationship, the complainant filed the case. The petitioner
is in jail since 23.12.2019.



On the other hand, learned counsel for the complainant vehemently opposed the prayer for bail and submitted that the petitioner was granted anticipatory bail on condition that the petitioner would pay Rs.5000/- as maintenance to his wife but the petitioner did not obey the order of the court.

It is submitted that the petitioner is not in a position to pay Rs.5000/- per month to his wife.

Having considered the facts and the nature of allegations made against the petitioner and the fact that the petitioner has remained in jail for more than two months, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No.293C of 2018.

(Prabhat Kumar Jha, J)

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