

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24151 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- BAJPATTI District- Sitamarhi

MD. SAMSHUL ANSARI @ SAMSUL ANSARI Son of Late Taslim Ansari
Resident of Village - Balha Manorath, Police Station - Bajpati, District -
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
For the informant	:	Mr. Devendra Kumar, Advocate
For the State	:	Ms. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-09-2020 Heard Mr. Pushpendra Kumar Singh, learned
counsel for the petitioner, Mr. Devendra Kumar, learned counsel
for the informant and Ms. Nirmala Kumari, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Bajpatti P.S. Case No. 11 of 2020 registered for the offences
punishable under Sections 341, 323, 324, 307, 498(A), 34 of
the Indian Penal Code 1860 and Section 3/4 of Dowry
Prohibition Act.

The allegation against the petitioner as per the First
Information Report lodged by the informant is that she was
married to one Dulare Ansari (son of the petitioner) in the year



2008. It has further been alleged that after marriage, her husband went outside of his house for the purpose of work and in his absence, her father-in-law i.e. petitioner and his other family members ousted her and also demanded further dowry. It has also been alleged that the petitioner has assaulted the informant by means of *Dabia* on her head, on account of which, she received injury.

Learned counsel for the petitioner submits that the marriage had taken place way back in the year 2008. Learned counsel further submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. Learned counsel also submits that the informant has also lodged complaint Case bearing Complaint Case No. C-1/335 of 2019 on 2.12.2019 in order to harass the petitioner and his family members and she used to create nuisance in the family, for which, panchayati was held on 21.09.2019. Petitioner is in custody since 13.03.2020 having clean antecedent. The injury caused to the informant has been found to be simple in nature caused by hard and blunt substance.

Learned counsel for the informant, on the other hand, vehemently opposes the prayer for regular bail and submits that



the petitioner along with his family members has brutally assaulted the informant and tried to burn her by pouring kerosene upon her. As such, the petitioner does not deserve the privilege of regular bail.

After having heard learned counsel for the parties and taking into consideration the materials on record, the fact that the injury caused to the informant is simple in nature and petitioner is in custody since 13.3.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi, in connection with Bajpatti P.S. Case No. 11 of 2020

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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