

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22207 of 2020

Arising Out of PS. Case No.-1825 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Imteyaz Ansari @ Imteyaz Alam, 27 Y/M, S/o Hanif Ansari, Resident of
Village Kawlapur, P.S.- Jogapatti (Nawalpur), Distt. West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Khusbun Khatoon @ Kumshum Nesha, W/o Imteyaz Ansari @ Imteyaz Alam, Daughter of Wajir Ansari, Resident of Village- Satgarhai, P.S.- Gopalpur, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Umesh Chandra Verma, Advocate
For the State	:	Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2020 Heard Mr. Umesh Chandra Verma, the learned counsel appearing on behalf of the petitioner and Mr. Rajiv Nayan, the learned Additional P.P. on the petition.

The petitioner apprehends his arrest in Complaint Case No.1825-C of 2018 for the offences allegedly committed by the petitioner under Section 498A of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is the husband of the complainant. Petitioner is ready to keep his wife on all undertaking. The petitioner filed Matrimonial Case No.464 of 2018 for restitution of conjugal right in the court of the learned Principal Judge, Family Court, West Champaran at Bettiah on 09.10.2018 and after three days, the complainant filed the complaint on 12.10.2018. The petitioner is still ready to keep his wife.



Taking into consideration the facts that the petitioner is willing to restore his conjugal relation with his wife, the petitioner, above named, is directed to surrender in the court below within six weeks from the date of receipt of this order and on such, the learned court below shall enlarge the petitioner on provisional bail for six months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No.1825-C of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter the learned court below is directed to make efforts for resolution of the dispute between the husband and the wife. If the husband keeps his wife with all honour and dignity, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly, the learned court below is directed to pass order in accordance with law after expiry of six months on the bail petition of the petitioner.

(Prabhat Kumar Jha, J)

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